

May 20, 2010

Dispersant Monitoring and Assessment Directive – Addendum

This is an addendum (Addendum 2) to the Dispersant Monitoring and Assessment Directive issued on May 10, 2010, and Addendum 1 issued on May 14, 2010 by the U.S. Coast Guard (USCG) and the Environmental Protection Agency (EPA) to BP. The requirements in this Addendum 2 apply to Parts 1 and 2 of the May 10, 2010 Directive and are in addition to the requirements of that Directive. BP shall commence Parts 1 and 2 requirements before subsurface application of dispersant is initiated and continues the Parts 1 and 2 requirements, Addendum 1, and this Addendum 2 until cancelled or modified by the USCG and EPA.

Alternative Dispersant additional Requirements:

1. Sampling of dispersant/oil and oil-only waters must be continued per the Directive, and in addition, baseline data of waters without direct application of dispersant or oil shall also be collected by BP. Monitoring of subsurface dispersant application by BP shall be performed from a vessel capable of performing all requirements of the May 10, 2010, Dispersant Monitoring and Assessment Directive and Addendum 1 on each day that dispersant is applied. As used in this Addendum 2, a “day” shall mean a calendar day.
2. Within 24 hours of the issuance of this Addendum 2, BP shall identify to the FOSC and the EPA RRT Co-chair for EPA’s and the FOSC’s approval, one or more approved dispersant products from the National Contingency Plan Product Schedule that are available in sufficient quantities, are as effective at dispersing the oil plume, and have a toxicity value less than or equal to 23.00 ppm LC50 toxicity value for Menidia or 18.00 ppm LC50 for Mysidopsis, as indicated on the NCP Product Schedule (http://www.epa.gov/oem/content/ncp/tox_tables.htm). The less toxic dispersant product(s) shall be used by BP for surface application and subsurface application as directed by the FOSC. Within 72 hours after submitting the list of alternatives, and after receiving EPA approval, BP shall immediately use only the approved alternative dispersant. Should BP not be able to identify alternative dispersant products, BP shall provide the FOSC and EPA RRT CO-Chair a detailed description of the products investigated, the reason the products did not meet the standards described above. Availability shall be based on existing stockpiles of dispersants, the estimated time to begin and aerial and subsurface application, time for manufacturing, shipping, and warehousing.
3. The effectiveness of the dispersant in subsurface application shall be determined as specified in Directive 1 Part 1, and Part 2. Dispersant application can be applied subsurface if, and only if, daily monitoring is performed.
4. BP shall provide 48 hours advanced notice of departure and trip duration timelines of the monitoring vessel to the FOSC and the EPA RRT Co-chair.
5. Monitoring data on the use of the less toxic dispersant product(s) shall be reported by BP to the FOSC and the EPA RRT Co-chair on a daily basis. This reporting shall include a sample tracking table. Daily data reports shall thereafter be provided by BP to the FOSC and the EPA RRT Co-chair as soon as practicable on the day following use of the less toxic dispersant product(s) by BP, but in no event later than 24 hours after use.