

Hearing before the Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration

“Deep Impact: Assessing the effects of the Deepwater Horizon Oil Spill on States, Localities, and the Private Sector”

June 10, 2010

Senator Pryor Opening Statement

I want to thank Full Committee Chairman Lieberman, Senators Landrieu, McCaskill, Burriss, Brown, my Ranking Member, Senator Ensign, and Senator Bill Nelson of Florida, who is not a member of this committee but was compelled to join us by the threat that looms off the Coast of Florida, and all of our distinguished witnesses for joining today. I want to note that while our state and local panel is comprised solely of witnesses from Louisiana, we did invite witnesses from Florida and Mississippi who were unable to attend because of last minute situations. We are here to discuss the impact of the Deepwater Horizon Oil Spill on the affected states and localities, and to determine the effectiveness of the joint Federal, state, and local response effort. We are over a month into a tragedy whose size and scope we are only beginning to comprehend. We must begin learning the lessons of this event now, and work to improve the process as we move forward.

This hearing will focus on five main questions. 1) What is the true impact of the oil spill on states and localities, and what are their outstanding needs? 2) What Federal plans have been activated to assist the impacted states and localities in responding to the spill, and are they working? 3) Is additional Federal assistance needed to ensure that people impacted by this spill are able to survive the clean up process? 4) What are the next steps in stopping the leak, and how does BP plan to clean up the heavily inundated areas along the coast? 5) Has BP set up a claim process that is fair and usable for those who have been adversely impacted by the oil spill?

51 days ago, an explosion on the Deepwater Horizon oil rig began a series of events that have impacted our country in ways that will not be fully clear to us for some time. 11 people died on the rig that night, a tragic loss of life for the families and friends of the workers lost at sea. While America grieved, very few imagined the depth of the impact that this event would have on our nation.

From the beginning, there was an apparent effort to downplay the severity of this spill. A BP executive predicted that the impact of the spill would be, “very very modest.” What we now know is that we are facing a truly unprecedented situation. Millions of gallons of oil have spewed into one of the richest and most unique ecosystems in all the United States. As you will hear from the testimony of the state and local officials who have joined us today, hundreds of miles of coastal wetlands have been affected, some unalterably. We may never know the extent of the loss of animal life, or the degree of damage to the wetlands, or the level of the damage done to the fishing stock. What we do know is that 51 days out from the beginning of this ordeal, the impact of the Deepwater Horizon Oil Spill is anything but modest.

To date, there have been:

- 413 oiled, live birds
- 592 dead birds collected by the US Fish and wildlife service, the Service continues to analyze dead birds to determine whether their deaths are the result of oil.
- 250 dead turtles collected, 240 of them are awaiting necropsies to determine whether their deaths can be conclusively connected to the oil spill.
- Two mammals (including dolphins) that we know conclusively have died as a result of the oil spill, with 31 others currently being tested.
- Over 78,000 square miles, which is about 35 percent of Gulf of Mexico Federal waters, is closed to fishing. Fishermen, seafood processing plants, shippers, and other businesses have been forced to rely on payments from BP to supplement the income they would have otherwise earned fishing the waters of the Gulf Coast. Responding to a spill of this size, which is the largest in American history, has required enormous intergovernmental coordination.

On Thursday, April 29th, the Coast Guard declared the Deepwater Horizon a Spill of National Significance (SONS). The SONS declaration set into motion several Federal operational plans, including:

- National Contingency Plan (NCP);
- National Response System (NRS);
- Homeland Security Presidential Directive-5 (HSPD-5); and
- the National Response Framework (NRF).

As a result, a massive effort to organize many different Federal resources, including, the Department of Homeland Security, the U.S. Coast Guard, Mines Minerals Service; Fish and Wildlife Service, EPA, DOD, NOAA, the Department of Energy, and other agencies. In addition to coordination between Federal agencies, these plans govern the interaction between Federal, state, local, and private sector entities. It is critical that there is clarity of responsibility and a clear understanding of roles at each level of government. I intend to ask the Federal, state, local, and private sector witnesses to assess the effectiveness of these plans, and the resulting response effort.

BP's efforts to stop the flow of oil through the "top kill" and "junk shots" failed. BP has recently placed a "cap" atop the blowout protector and is now collecting several thousand barrels of oil. These are positive developments, but little comfort to Gulf Coast residents who are forced to watch the shorelines turn black and brown from oil inundation. Perhaps one of the most important questions we can ask today to BP is—how do you intend to clean up the heavily inundated areas, and how much progress has been made in the clean-up effort to date?

BP has committed itself to paying claims for individuals harmed by the spill. As I mentioned earlier, over 78,000 miles of fishing waters is off-limits. In Louisiana alone, the seafood industry produces over \$2 billion yearly. This means that thousands of Americans will have to rely on an approved claim by BP in order to put food on the table or pay the mortgage. I intend to gain a

better understanding of the claims process, and ultimately ask BP the hardest question of all to answer: at what point will BP no longer be able to pay?

I am glad my colleagues from the committee have joined us. There are an infinite number of questions to be asked and answered. We are taking a small, but immensely important piece today. The people of the Gulf Coast are facing a terrible degree of uncertainty. In so many ways, their employment, their communities, and their livelihoods, are drifting at sea. We must ensure that the coordinated response is fully effective. We will not allow BP to shortchange the public when their actions have led to such an unimaginable situation. This subcommittee will do all it can to make the coordinated response the best it can be, and to ensure that BP remains accountable to the American People until the last drop of oil is cleaned from the shores of the Gulf.