

# TOO MUCH OIL FOR THE RUBBER-STAMP: THE GOVERNMENT’S ROLE IN THE BP OIL SPILL

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### I. INTRODUCTION

In the wake of British Petroleum’s (“BP”) *Deepwater Horizon* oil spill, Michael Ellis, a veteran charter boat captain, volunteered to assist BP with oil spill cleanup efforts. He signed a vessels of opportunity contract with BP, which authorized him to charter a boat in the Gulf of Mexico for sea turtle rescuers so that they could attempt to save sea turtles impacted by the oil spill. Typical sea turtle rescues involved identifying oil lines, which are places in the ocean where oil accumulates at the convergence of two currents, and scooping out sea turtles immobilized by the thick oil.

On several occasions, Mr. Ellis witnessed BP’s use of “controlled” or “in-situ” burns, a widely accepted method of containing and disposing of oil. Responders conduct a controlled burn by dragging fire-resistant booms behind boats to corral oil, where it has already accumulated, and then lighting the enclosure on fire. In all, BP burned approximately 10 million gallons of oil over 500 square miles in the Gulf of Mexico during the summer of 2010.<sup>1</sup> However, because the

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1. Department of the Interior, Update: The Ongoing Administration-Wide Response to the Deepwater BP Oil Spill <http://www.doi.gov/news/doinews/Update-6-28-2010-The-Ongoing-Administration-Wide-Response-to-the-Deepwater-BP-Oil-Spill.cfm> (last visited Mar. 21, 2011); Patrik Jonsson, *BP Gulf Oil Spill: Turtles to be Protected from ‘Burn Boxes’*,