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INTERAGENCY COORDINATING COMMITTEE ON OIL
POLLUTION RESEARCH (ICCOPR)

* * * * *

The above-entitled cause came in for
a meeting at the Audubon Aquarium of the
Americas, Pisces Room, One Canal Street,
New Orleans, Louisiana 70130 on Thursday,
November 17, 2010 commencing at 9:21 a.m.

* * * * *

Reported by:
Tara Torres-Blank
Certified Court Reporter

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CAPTAIN CAPLIS:

Well, good morning everybody.
 Welcome to the Interagency
 Coordinating Committee on Oil
 Pollution Research Public Meeting.
 My name is John Caplis. I'm the
 Captain of the U.S. Coast Guard.
 I'm the Chief of the Office of the
 Incident Management Preparedness and
 I'm also the Chair for the Committee

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here.
So I wanted to welcome everybody
that came out this morning. Thanks
for showing up. Since we do have
sort of an abbreviated audience, I'm
going to kind of -- I'm going to
shorten things up here a bit in the
interest of time for everybody.

1 But at this time, we're going to
2 go ahead and call the Public Meeting
3 to order and get a chance to hear
4 your comments on what you feel are
5 the priorities, which should be
6 followed for oil pollution research.

7 Recent events, including the
8 response to Deepwater Horizon oil
9 spill brought oil pollution R&D into
10 the forefront of our national
11 consciousness. I think we'd all
12 agree to that, especially down here
13 in the Gulf.

14 Although this meeting was
15 actually planned prior to the -- to
16 the incident in the Gulf, it
17 certainly shows that it's timely and
18 illustrates the need to consider a
19 variety of ideas to meet future
20 challenges for oil spills.

21 We're going to do a couple of
22 things. First is to introduce our
23 ICCOPR Panel Members up here and
24 then I will probably just show a
25 couple of brief slides, just to give

1 you a very short idea of what --
2 what the Committee is about and then
3 we'll go ahead and just open up the
4 floor to -- to the comments that
5 people want to make.

6 So here on the Panel with me we
7 have Dr. Bill Connor with NOAA, and
8 Mr. Greg Wilson with EPA, Roxanna
9 Hinzman with the U.S. Fish &
10 Wildlife Service from the Department
11 of Interior, and Mike Herb with the
12 U.S. Navy, the Office of Supervisor
13 of Salvage.

14 So that's who we have here this
15 morning with us and I thank
16 everybody here for coming out to
17 hear the public comment. I
18 appreciate your efforts in doing
19 that.

20 The Interagency -- excuse me,
21 Coordinating Committee on Oil
22 Pollution Research was actually --
23 see if I can work this thing. Which
24 way does it go, Tracy? Oh, it
25 wasn't on. That helps -- was

1 actually mandated by the Oil
2 Pollution Act of 1990 and the
3 purpose is to -- was one to prepare
4 a comprehensive plan that would make
5 sure that R&D efforts throughout the
6 federal government were coordinated.

7 It was also meant to be very
8 inclusive, where it would include
9 efforts to -- to coordinate with
10 different universities, with
11 industry and with other state and
12 international governments as well.

13 So it's very -- its intent was
14 to be very broad and there was a
15 requirement to report out to
16 Congress biannually on the status of
17 oil pollution research.

18 There's also this slide here
19 shows there's 13 member
20 organizations on the Committee and
21 so it's a very broad Interagency
22 Committee.

23 I'm going to click through a
24 couple of slides here. One of the
25 things that when the National

1 Research Counsel reviewed one of the
2 earlier versions of the ICCOPR's R&D
3 plan, one of the feedbacks was that
4 R&D for oil pollution needs to focus
5 on prevention as much as on the
6 response aspects.

7 And so they took that heart and
8 one of the things that this slide
9 shows is that -- as you can see
10 waterborne commerce over time has
11 just continually gone up on a -- a
12 fairly steady rate, but the amount
13 of oil spills that -- that have
14 occurred over time have dramatically
15 decreased.

16 So we think the prevention
17 measures that were put in place have
18 been very successful and I think
19 that that trend -- that thinking is
20 still very current for our situation
21 today. And so we'll continue to
22 look at our need for prevention as
23 it applies to oil -- transportation
24 of oil and drilling of oil as well.

25 I think that -- the last thing

1 I'll really try just to mention is
2 that one of the main purposes of the
3 ICCOPR was to develop a
4 comprehensive plan that would then
5 guide the federal agencies on how
6 they do research and development.

7 So, the last version of the plan
8 was actually written in 1997 and so
9 as we go forward as an ICCOPR, and
10 part of the reason for having these
11 public meetings was to gather input
12 from the public and from academia
13 and other sectors what's important
14 as we go forward in terms of oil
15 pollution research because after
16 this -- This is the last of three
17 public meetings.

18 As we close this one up, we're
19 going to start to convene in
20 December as an ICCOPR again and look
21 at renewing the plan for 2011. That
22 is where we plan to take this.

23 With that, I'm going to go ahead
24 then and open up the public comment
25 period of the meeting. So I guess,

1 Tracy, how do you want to -- just
2 allow people to go up to the mic now
3 at this point. I guess the floor is
4 open to anybody that wants to make a
5 public comment.

6 Good morning, Frank.

7 FRANK PASKEWICH:

8 Good morning. My name is Frank
9 Paskewich. P-a-s-k-e-w--i-c-h.
10 Good morning, everybody, and thank
11 you for hosting this panel this
12 morning.

13 I'm Frank Paskewich. I'm the
14 Executive Director for Clean Gulf
15 Associates. We're an oil spill non-
16 profit co-op located here in New
17 Orleans. I am also here to
18 represent APICM, which is the
19 Association of Petroleum Industry
20 Cooperative Managers.

21 APICM has 21 member companies
22 who are also cooperatives located
23 throughout the United States in the
24 Gulf of Mexico on the east coast,
25 the west coast, Alaska, and also a

1 few international co-ops who are
2 members.

3 Our co-ops have been in
4 existence for a number of years and
5 we have a lot of expertise within
6 APICM. We have a lot of the
7 cooperatives have been engaged in
8 not only mechanical recovery or to
9 burning, as well as the use of
10 dispersants. So I think we have a
11 very diversified expertise throughout
12 that cooperative.

13 What I would ask here as a
14 representative of APICM is that any
15 R&D products which do occur, I would
16 highly recommend that you bring in
17 APICM as a consult to help with
18 those issues. With all the
19 expertise and practical pollution
20 response expertise, I think it would
21 be a good association for you to
22 draw upon from a technical aspect.

23 Each co-op, certainly in the
24 aftermath of the Macondo spill, --
25 every cooperative is looking to

1 improve its mechanical recovery
2 capability, as well as any other
3 capabilities that will make us
4 better.

5 So we certainly have a joint
6 effort here to improve collectively.
7 I would say if there's one single
8 area I'd like to single out, it
9 would be in the area of surveillance
10 and tracking. I think that is an
11 area that is right for improvement
12 and that we're all looking at to see
13 if we can improve upon our ability
14 to track oil at night consistently
15 on a local level, but I say a very
16 large global level, so that we can
17 perform 24/7 operations.

18 That's all I have. Thank you
19 very much.

20 CAPTAIN CAPLIS:

21 Thank you, Frank. As you're
22 well aware, and I think most people
23 in the audience are well aware, the
24 Coast Guard and all the other
25 agencies in the ICCOPR have an

1 excellent work relationship with
2 APICM. And so I appreciate you
3 coming to the meeting and sharing
4 that with us and that you guys are
5 offering your assistance and so we
6 will certainly look to have you
7 participate with us as we go forward
8 and we certainly value, you know,
9 the partnership you bring.

10 Incidentally, the 2003 capsule
11 that's coming up has part of its
12 requirements aerial tracking and
13 surveillance. So I'm hoping that
14 that will help stimulate some of
15 that as well. It's certainly a
16 critical part of any response.

17 Sir, do you have a comment you
18 want to enter? Absolutely.

19 DAVID CURRY:

20 Good morning.

21 CAPTAIN CAPLIS:

22 Good morning, David. Thank you
23 for coming.

24 DAVID CURRY:

25 I'm David Curry out of Baton

1 Rouge, Louisiana. I'm the Founder
2 and Director of Louisiana Economic
3 Foundation, founded after Katrina
4 with the devastation threatening our
5 coastal zone.

6 I wrote a series of articles,
7 letters to Congress, have been to
8 Washington and the rest of the
9 Nation to find coastal restoration
10 protection efforts, to give
11 Louisiana and the Nation hope that
12 our coasts will be stable again and
13 support commerce and energy.

14 Why is an economist -- activist
15 economist involved in emergency
16 management and disasters? Why am I
17 here today?

18 The volunteer work as an aid for
19 Senator Vitter during Katrina,
20 served at high levels through
21 Katrina, seen most things that you
22 would not see as a public citizen.
23 I was heavily involved in a lot of
24 things.

25 When the BP oil spill happened,

1 the accident occurred, not very many
2 people understood the economic
3 consequential damages to this
4 region.

5 I debated whether to -- if you-
6 all can bear with me, I'm going tell
7 a story, but it's a very indicative
8 to tie everything together.

9 I almost couldn't do anything
10 because I did not have the time or
11 the resources to devote to it.
12 Thirty minutes later, I said, "No,
13 I'm stupid if I don't because
14 everything we've worked for will be
15 lost."

16 We had a massive oil spill with
17 an accident that happened. It could
18 happen tomorrow again. This is
19 common knowledge.

20 We have a Louisiana working
21 coast that ecology and industry work
22 hand and hand and we have
23 successfully since the 30's.

24 This tested -- just prior to the
25 accident, the Administration was

1 looking to expand drilling around
2 the United States coastal zone and
3 this accident, for a better reason
4 screwed that up. The response
5 actually screwed it up.

6 I did not know a 40 CFR -- did
7 not know as a citizen on April 25th
8 the NCP list. Research and vetting
9 it blindly as an economist,
10 understanding our coastal
11 challenges, led me to one product
12 out of all 90 something products on
13 the NCP list under different
14 categories. A bioremediation agent
15 that would emulate Mother Nature.

16 I brought this to Vice Admiral
17 Allen, attempted to in Robert
18 because I worked with him during the
19 FEMA disaster. Came back, called
20 the owner of the manufacturer and
21 brought it to Louisiana State
22 Capital to Senator A.G. Crowe and
23 Homeland Securities Director and
24 started the discovery process on May
25 2nd.

1 This only NCP product would
2 allow you to use, as we all know in
3 an oil spill. Only one product at
4 that time was used and that was a
5 dispersant. I'm not criticizing
6 dispersants, but RRT6 EPA's blind
7 use, and the Coast Guard's blind use
8 with the myth of dispersants or of
9 these dispersants were at the heart
10 of it because they were highly
11 toxic, contained butoxyethanol and
12 other ingredients that are captive
13 or private to the corrosive
14 products.

15 I'm not here to criticize those.
16 I did not know what they meant at
17 the time. They were another tool in
18 the arsenal. But for 20 something
19 years, a product has existed through
20 my research called alster liter 2
21 and it's a bioremediation agent
22 that's proven in 35 countries
23 globally. It's in 190 military
24 bases. Your own Coast Guard uses
25 it, as well as other members of the

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Defense Department.

All 190 branches use this. It safely cleans up and detoxifies oil with hydraulic lift properties. It takes oil in the water colony and elevates it with a positive lift.

This is what Senator A.G. Crowe sent a letter demanding to RRT back in June to utilize this product, as well as send a letter in May demanding the cease and desist of dispersants in Louisiana waters. It was ignored.

It wasn't until later in May that the EPA's secretary asked for a less toxic use type of dispersants. Corexid 9500 was selected because of its availability, equally as toxic, slightly less in Corexid. When mixed with oil, greater toxic.

When it was mixed with number two fuel, not our light crude. Where I'm going with this is this response that we've had, has done irreversible damage. That exists

1 because there's a divergence of
2 silence; NOAA, EPA, BP Science.

3 There's an independent community
4 out there that says different and in
5 organic chemistry -- the chemistry
6 it should be not -- in the public
7 health. I'm saying that there
8 should be no divergence.

9 I don't know if this is the
10 right forum, but when we're talking
11 about technology and not using the
12 technology that already exists, we
13 repeated attempts to go to RRT and
14 ask that this product be utilized.
15 When BP utilized it for this
16 disaster with success. When the
17 RRT6 used it, (inaudible).
18 I'm talking a lot about one product.
19 You're going to say, "Mr. Curry,
20 what's your tie to that product?"
21 Prior to May 20th when my letter
22 went to Vice President Biden, I had
23 no ties to it.

24 When I had sent a letter to
25 Washington, I had become a

1 consultant for them so it would
2 accepted in Washington. So since
3 that day, I accepted a contract with
4 them.

5 I also have an arrangement -- a
6 contract with the State of
7 Louisiana, with Senator A.G. Crowe.
8 Admiral Landry, he introduced me as
9 his consultant for this oil spill
10 and we met with her in July.

11 Where I'm going with this and to
12 cut to the chase, New London
13 Connecticut Testing Labs, July 10th,
14 entered into -- sent a letter to the
15 FOSC that this product -- I'm going
16 to pass out the NCP letter -- could
17 be utilized in this response.

18 It is the first response --
19 international first response
20 oilfield fight product that can be
21 sprayed when oil is spilt. It will
22 within seven to nine days, 12 days,
23 turn the oil to a Co2 and water
24 converted as enzymes and detoxify
25 the oil, cause hydraulic lift where

1 it changes the density, causing the
2 water to stay on the water surface
3 where oxygen is plentiful and within
4 a short period of time before
5 natural bioremediation, thus no
6 contamination, no threat to the
7 ecology.

8 This has existed since the Exxon
9 Valdez. I have documentation in my
10 file that supports this. This has
11 been made available and brought to
12 the surface the entire time. It's
13 been ignored.

14 If we're looking for new
15 technology and we've had it the
16 whole time and didn't use it,
17 something's wrong.

18 Let's get back to dispersants.
19 There's no definable test published
20 that natural bioremediation is
21 afforded with the use of corexid
22 dispersants. Yes, it breaks the oil
23 down, changes the organic chemistry,
24 and it falls in the water column.

25 EPA's test proved where it

1 passed the test because they had
2 been blinged with hard crude and
3 light Louisiana crude, so it could
4 pass the test. It had to have a 40
5 percent sink rate.

6 This product did not pass it;
7 however, it was not a dispersant.
8 It caused hydraulic lift in that
9 test.

10 I'm a little short-winded, but
11 my point is, and we can talk after
12 the meeting, there's technology
13 that's existed. Had we utilized
14 this technology, had people listened
15 and had an open door versus a closed
16 door to this response.

17 Now, in defense of the response,
18 we had 10,000, 12,000, 13,000
19 products come to the surface.
20 Everybody from the President or the
21 Vice President down or anybody in
22 legal industry was pushing a
23 product, so whoever was vetting the
24 products and making decisions were
25 being bombarded.

1 The problem, this got overlooked
2 possibly, but again, through this
3 vetting process, through ten times
4 the Horizon project vetting process,
5 LSU's process whereby May 7th or 8th,
6 the Louisiana Governor asked the
7 department for use of the water and
8 he was shut down by the Incident
9 Management because we did not have
10 RT approval.

11 Now again, the question is still
12 out there if the water is safe, if
13 the seafood's safe. I have a
14 document full of reports from
15 Royders, independent scientists,
16 they bring scientists in there to
17 tell you it's not, but you've got
18 such economists.

19 That's why as an economist, I'm
20 coming to you. It's important to
21 find a solution to mitigate and
22 detoxify what may or may not be
23 there and the most cost effective
24 measure. We have a responsible
25 party and responsible parties that

1 have limited resources.

2 If this response was adequate
3 or, and I'm saying it's not, but
4 that's subject to interpretation,
5 but if the response was done and
6 utilized all the resources
7 available, we would not have the
8 consequences we have, and it's going
9 to happen in the future.

10 I have Stanley Rice from NOAA, a
11 paper he wrote on the Exxon Valdez,
12 called "Persistence of Toxicity".
13 We have probably 1/5 the oil here
14 that they had there or five times
15 the oil that they had, but the
16 massive amounts of oil, treated with
17 subsurface dispersants gasifying to
18 disperse the gas hydrocarbons and
19 it's out of sight, out of mind, but
20 no one can tell you the long-term
21 damage to the ecosystem of the
22 fisheries or anything else.

23 We're only looking coastal. And
24 yet, we have toxin reports.
25 Royder's the first of this month

1 reported a May report that
2 polyhydrocarbons were found at the
3 well site and the concern was --
4 this was back in May, if more oil
5 than dispersants were used, what's
6 going to happen? Well, that's been
7 hidden.

8 You know, if we're looking at
9 research, look at what's what.
10 Let's evaluate fully and be
11 proactive and take what we have to
12 work with.

13 With that, there's enough
14 documentation. It's not what I say.
15 I'm a nobody. I don't have the
16 credentials that's in this room, but
17 I don't have an interest one way or
18 the other.

19 Yes, I did take a contract to
20 get a letter to Vice President
21 Biden. Yes, I do have a
22 relationship to Senator Crowe
23 because I'm a resident of Louisiana.
24 I'm worried about the gas and oil
25 for these polyhydrocarbons getting

1 up in the water column and the
2 atmosphere and coming back as toxic
3 rain.

4 I went to NOAA and CEC officials
5 back in May and June with my
6 hypothesis when I'm doing constant
7 economic analysis. I'm looking at
8 the coastal zone dead in 50 years.
9 I'm looking at giving up - If a
10 hurricane would have happened, cross
11 contamination outside of our coastal
12 zone, and when you start putting the
13 numbers, that's scary. Enough to
14 where I went and met with our
15 Attorney General.

16 You're looking at "X" billion
17 dollars of damage. What happens if
18 this, and you have a responsible
19 party that may or may not be able to
20 pay?

21 I've gotten off the subject, but
22 the issue is technology. We have
23 it. We have not used it and being
24 we have to have the desire to use
25 it. With that, I'm very grateful to

1 Admiral Landry, Admiral Watson, you
2 know, everybody that I work with,
3 not throwing stones, basically, just
4 trying to find solutions, trying to
5 follow the right protocol, trying to
6 make sure we're responsible.

7 In my reports to CEC and, you
8 know, going up to Homeland Security
9 if I have the proof to support that
10 and not being in the public. This
11 is the only public meeting I spoke
12 to, except a May 20th meeting at the
13 ??Houma Civic Center in front of
14 Captain Stanton, a person from EPA,
15 Sam Coleman, as well as someone with
16 BP.

17 But again, as a citizen of
18 Louisiana, outraged that we're not
19 using all the resources and tools
20 available to mitigate or cleanup or
21 detoxify this problem.

22 With response to future oil
23 spills, with response to accidental
24 spilling, we had three accidents
25 since Horizon by independent oil

1 companies. The question was, did
2 they -- could they use dispersants
3 without having the risk of buying
4 the oil like BP?

5 Well, if we switch from
6 dispersants and use an equal product
7 that can give you a defined incarn
8 of Co2 and water, LSU's own testing
9 proved this June of '09 when it
10 recertified the NCP test.

11 So we have the technology. We
12 have to use it. If we have oil
13 spills on a rig, we spilled 20
14 gallons or 2,000 gallons of oil, you
15 spray it, apply it on and you read
16 Section 6 of the NCP letter and look
17 at the application.

18 You know, unless the NCP letter
19 by the EPA is incorrect, you know, I
20 don't know what else to tell you.
21 Thank you-all folks and if someone
22 has a question, please ask me
23 afterwards because I don't want to
24 take away from the rest of the
25 meeting, but, you know, I didn't

1 know what this forum was, but I
2 didn't want to miss it. Thank you.
3 If there's any questions, I'll
4 answer them.

5 CAPTAIN CAPLIS:

6 Yes, sir. Thanks for sharing,
7 you know, your concerns and comments
8 and certainly, you know, the ICCOPR
9 is about trying to advance the
10 different technologies that we have
11 as tools in our arsenal and then,
12 you know, we have a system in place
13 through the RRT's and the NRT to try
14 and determine, you know, when it is
15 appropriate to use the different
16 technologies.

17 So I would encourage you to
18 continue to, you know, have dialogue
19 with -- with the RRT's here.

20 DAVID CURRY:

21 This is your Coast Guard letter
22 authorizing FOSC to use it after
23 that.

24 CAPTAIN CAPLIS:

25 Yeah. Honestly, this session

1 really wasn't to really take a look
2 at the oil spill and the response,
3 so I really can't comment on that,
4 but I do appreciate you raising the
5 concern and we'll look at that.

6 DAVID CURRY:

7 I apologize if I was in the
8 wrong meeting.

9 CAPTAIN CAPLIS:

10 No. No. Your comments are
11 valid. Thank you, sir.

12 Anybody else that wants to enter
13 in a comment. Any of the Coast
14 Guard folks?

15 Okay. Anybody from the Panel
16 that wants to make any closing
17 comments? No? Okay.

18 Well, I'd like to thank
19 everybody that came out today and
20 for your comments and discussion.
21 The information will play a critical
22 role in how the ICCOPR here moves
23 forward and how we update the 99 --
24 or excuse me, the 1997 plan with --
25 with the current version of a plan

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that will help us with the way ahead
as we move forward.

This is the last of three public
meetings and our mission really was
to hear comments from all the areas
nationally and not from any -- from
just any one region.

The Gulf of Mexico oil spill, it
certain brought R&D issues into the
limelight and we will work to insure
that planning and coordination among
agencies is accomplished as we work
to improve spill response as a
whole, so I appreciate your time and
comments and your participation.

I would say if you have any
additional questions about the
ICCOPR, please see any of us after
we close here and we'll be happy to
discuss those with you and other
than that, I thank you very much for
showing up. Thank you.

Oh, sorry. My trustee
Lieutenant wanted me to mention that
the ICCOPR now has a new website up

1 and that is the new web address and
2 I think it's a really well done
3 website and we hope to populate that
4 with, you know, the latest
5 information on R&D as we move
6 forward.

7 So maybe tuck that away for
8 future use as we go forward with our
9 efforts. Thank you.

10 (The Meeting was concluded at 9:49 a.m.)

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R E P O R T E R ' S P A G E

I, Tara Torres-Blank, Certified Court Reporter, in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(b) of the Louisiana Code of Civil Procedure, before whom this sworn testimony was taken, do hereby state on the Record:

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Tara Torres-Blank, CCR
Certified Court Reporter

C E R T I F I C A T E

This certification is valid only for a transcript accompanied by my original signature and original raised seal on this page.

I, Tara Torres-Blank, Certified Court Reporter, in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that after having first been duly sworn by me upon authority of R.S. 37:2554, did testify as hereinbefore set forth in the foregoing pages;

That this testimony was reported by me in the Stenomask method (voice-writing), was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That I am not related to counsel or to the parties herein; am not otherwise interested in the outcome of this matter; and am a valid member in good standing of the Louisiana State Board of Examiners of Certified Shorthand Reporters.

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Tara Torres-Blank (#22012)
Certified Court Reporter

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MEETING, NOVEMBER 17, 2010

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1 INTERAGENCY COORDINATING COMMITTEE ON OIL
2 POLLUTION RESEARCH (ICCOPR)
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5 The above-entitled cause came in for
6 a meeting at the Audubon Aquarium of the
7 Americas, Pisces Room, One Canal Street,
8 New Orleans, Louisiana 70130 on Thursday,
9 November 17, 2010 commencing at 9:21 a.m.
10 * * * * *

11 Reported by:
12 Tara Torres-Blank
13 Certified Court Reporter
14
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Page 3

1 here.
2 So I wanted to welcome everybody
3 that came out this morning. Thanks
4 for showing up. Since we do have
5 sort of an abbreviated audience, I'm
6 going to kind of -- I'm going to
7 shorten things up here a bit in the
8 interest of time for everybody.
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6 Proceedings 2
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8 Reporter's Page 31
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10 Reporter's Certificate 32
11
12
13 -0-
14
15 CAPTAIN CAPLIS:
16
17 Well, good morning everybody.
18 Welcome to the Interagency
19 Coordinating Committee on Oil
20 Pollution Research Public Meeting.
21 My name is John Caplis. I'm the
22 Captain of the U.S. Coast Guard.
23 I'm the Chief of the Office of the
24 Incident Management Preparedness and
25 I'm also the Chair for the Committee

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1 But at this time, we're going to
2 go ahead and call the Public Meeting
3 to order and get a chance to hear
4 your comments on what you feel are
5 the priorities, which should be
6 followed for oil pollution research.
7 Recent events, including the
8 response to Deepwater Horizon oil
9 spill brought oil pollution R&D into
10 the forefront of our national
11 consciousness. I think we'd all
12 agree to that, especially down here
13 in the Gulf.
14 Although this meeting was
15 actually planned prior to the -- to
16 the incident in the Gulf, it
17 certainly shows that it's timely and
18 illustrates the need to consider a
19 variety of ideas to meet future
20 challenges for oil spills.
21 We're going to do a couple of
22 things. First is to introduce our
23 ICCOPR Panel Members up here and
24 then I will probably just show a
25 couple of brief slides, just to give

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1 you a very short idea of what --
2 what the Committee is about and then
3 we'll go ahead and just open up the
4 floor to -- to the comments that
5 people want to make.

6 So here on the Panel with me we
7 have Dr. Bill Connor with NOAA, and
8 Mr. Greg Wilson with EPA, Roxanna
9 Hinzman with the U.S. Fish &
10 Wildlife Service from the Department
11 of Interior, and Mike Herb with the
12 U.S. Navy, the Office of Supervisor
13 of Salvage.

14 So that's who we have here this
15 morning with us and I thank
16 everybody here for coming out to
17 hear the public comment. I
18 appreciate your efforts in doing
19 that.

20 The Interagency -- excuse me,
21 Coordinating Committee on Oil
22 Pollution Research was actually --
23 see if I can work this thing. Which
24 way does it go, Tracy? Oh, it
25 wasn't on. That helps -- was

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1 actually mandated by the Oil
2 Pollution Act of 1990 and the
3 purpose is to -- was one to prepare
4 a comprehensive plan that would make
5 sure that R&D efforts throughout the
6 federal government were coordinated.

7 It was also meant to be very
8 inclusive, where it would include
9 efforts to -- to coordinate with
10 different universities, with
11 industry and with other state and
12 international governments as well.

13 So it's very -- its intent was
14 to be very broad and there was a
15 requirement to report out to
16 Congress biannually on the status of
17 oil pollution research.

18 There's also this slide here
19 shows there's 13 member
20 organizations on the Committee and
21 so it's a very broad Interagency
22 Committee.

23 I'm going to click through a
24 couple of slides here. One of the
25 things that when the National

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1 Research Counsel reviewed one of the
2 earlier versions of the ICCOPR's R&D
3 plan, one of the feedbacks was that
4 R&D for oil pollution needs to focus
5 on prevention as much as on the
6 response aspects.

7 And so they took that heart and
8 one of the things that this slide
9 shows is that -- as you can see
10 waterborne commerce over time has
11 just continually gone up on a -- a
12 fairly steady rate, but the amount
13 of oil spills that -- that have
14 occurred over time have dramatically
15 decreased.

16 So we think the prevention
17 measures that were put in place have
18 been very successful and I think
19 that that trend -- that thinking is
20 still very current for our situation
21 today. And so we'll continue to
22 look at our need for prevention as
23 it applies to oil -- transportation
24 of oil and drilling of oil as well.

25 I think that -- the last thing

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1 I'll really try just to mention is
2 that one of the main purposes of the
3 ICCOPR was to develop a
4 comprehensive plan that would then
5 guide the federal agencies on how
6 they do research and development.

7 So, the last version of the plan
8 was actually written in 1997 and so
9 as we go forward as an ICCOPR, and
10 part of the reason for having these
11 public meetings was to gather input
12 from the public and from academia
13 and other sectors what's important
14 as we go forward in terms of oil
15 pollution research because after
16 this -- This is the last of three
17 public meetings.

18 As we close this one up, we're
19 going to start to convene in
20 December as an ICCOPR again and look
21 at renewing the plan for 2011. That
22 is where we plan to take this.

23 With that, I'm going to go ahead
24 then and open up the public comment
25 period of the meeting. So I guess,

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1 Tracy, how do you want to -- just
2 allow people to go up to the mic now
3 at this point. I guess the floor is
4 open to anybody that wants to make a
5 public comment.
6 Good morning, Frank.
7 FRANK PASKEWICH:
8 Good morning. My name is Frank
9 Paskewich. P-a-s-k-e-w--i-c-h.
10 Good morning, everybody, and thank
11 you for hosting this panel this
12 morning.
13 I'm Frank Paskewich. I'm the
14 Executive Director for Clean Gulf
15 Associates. We're an oil spill non-
16 profit co-op located here in New
17 Orleans. I am also here to
18 represent APICM, which is the
19 Association of Petroleum Industry
20 Cooperative Managers.
21 APICM has 21 member companies
22 who are also cooperatives located
23 throughout the United States in the
24 Gulf of Mexico on the east coast,
25 the west coast, Alaska, and also a

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1 few international co-ops who are
2 members.
3 Our co-ops have been in
4 existence for a number of years and
5 we have a lot of expertise within
6 APICM. We have a lot of the
7 cooperatives have been engaged in
8 not only mechanical recovery or to
9 burning, as well as the use of
10 dispersants. So I think we have a
11 very diversified expertise throughout
12 that cooperative.
13 What I would ask here as a
14 representative of APICM is that any
15 R&D products which do occur, I would
16 highly recommend that you bring in
17 APICM as a consult to help with
18 those issues. With all the
19 expertise and practical pollution
20 response expertise, I think it would
21 be a good association for you to
22 draw upon from a technical aspect.
23 Each co-op, certainly in the
24 aftermath of the Macondo spill, --
25 every cooperative is looking to

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1 improve its mechanical recovery
2 capability, as well as any other
3 capabilities that will make us
4 better.
5 So we certainly have a joint
6 effort here to improve collectively.
7 I would say if there's one single
8 area I'd like to single out, it
9 would be in the area of surveillance
10 and tracking. I think that is an
11 area that is right for improvement
12 and that we're all looking at to see
13 if we can improve upon our ability
14 to track oil at night consistently
15 on a local level, but I say a very
16 large global level, so that we can
17 perform 24/7 operations.
18 That's all I have. Thank you
19 very much.
20 CAPTAIN CAPLIS:
21 Thank you, Frank. As you're
22 well aware, and I think most people
23 in the audience are well aware, the
24 Coast Guard and all the other
25 agencies in the ICCOPR have an

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1 excellent work relationship with
2 APICM. And so I appreciate you
3 coming to the meeting and sharing
4 that with us and that you guys are
5 offering your assistance and so we
6 will certainly look to have you
7 participate with us as we go forward
8 and we certainly value, you know,
9 the partnership you bring.
10 Incidentally, the 2003 capsule
11 that's coming up has part of its
12 requirements aerial tracking and
13 surveillance. So I'm hoping that
14 that will help stimulate some of
15 that as well. It's certainly a
16 critical part of any response.
17 Sir, do you have a comment you
18 want to enter? Absolutely.
19 DAVID CURRY:
20 Good morning.
21 CAPTAIN CAPLIS:
22 Good morning, David. Thank you
23 for coming.
24 DAVID CURRY:
25 I'm David Curry out of Baton

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1 Rouge, Louisiana. I'm the Founder
2 and Director of Louisiana Economic
3 Foundation, founded after Katrina
4 with the devastation threatening our
5 coastal zone.

6 I wrote a series of articles,
7 letters to Congress, have been to
8 Washington and the rest of the
9 Nation to find coastal restoration
10 protection efforts, to give
11 Louisiana and the Nation hope that
12 our coasts will be stable again and
13 support commerce and energy.

14 Why is an economist -- activist
15 economist involved in emergency
16 management and disasters? Why am I
17 here today?

18 The volunteer work as an aid for
19 Senator Vitter during Katrina,
20 served at high levels through
21 Katrina, seen most things that you
22 would not see as a public citizen.
23 I was heavily involved in a lot of
24 things.

25 When the BP oil spill happened,

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1 the accident occurred, not very many
2 people understood the economic
3 consequential damages to this
4 region.

5 I debated whether to -- if you-
6 all can bear with me, I'm going tell
7 a story, but it's a very indicative
8 to tie everything together.

9 I almost couldn't do anything
10 because I did not have the time or
11 the resources to devote to it.
12 Thirty minutes later, I said, "No,
13 I'm stupid if I don't because
14 everything we've worked for will be
15 lost."

16 We had a massive oil spill with
17 an accident that happened. It could
18 happen tomorrow again. This is
19 common knowledge.

20 We have a Louisiana working
21 coast that ecology and industry work
22 hand and hand and we have
23 successfully since the 30's.

24 This tested -- just prior to the
25 accident, the Administration was

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1 looking to expand drilling around
2 the United States coastal zone and
3 this accident, for a better reason
4 screwed that up. The response
5 actually screwed it up.

6 I did not know a 40 CFR -- did
7 not know as a citizen on April 25th
8 the NCP list. Research and vetting
9 it blindly as an economist,
10 understanding our coastal
11 challenges, led me to one product
12 out of all 90 something products on
13 the NCP list under different
14 categories. A bioremediation agent
15 that would emulate Mother Nature.

16 I brought this to Vice Admiral
17 Allen, attempted to in Robert
18 because I worked with him during the
19 FEMA disaster. Came back, called
20 the owner of the manufacturer and
21 brought it to Louisiana State
22 Capital to Senator A.G. Crowe and
23 Homeland Securities Director and
24 started the discovery process on May
25 2nd.

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1 This only NCP product would
2 allow you to use, as we all know in
3 an oil spill. Only one product at
4 that time was used and that was a
5 dispersant. I'm not criticizing
6 dispersants, but RRT6 EPA's blind
7 use, and the Coast Guard's blind use
8 with the myth of dispersants or of
9 these dispersants were at the heart
10 of it because they were highly
11 toxic, contained butoxyethanol and
12 other ingredients that are captive
13 or private to the corrosive
14 products.

15 I'm not here to criticize those.
16 I did not know what they meant at
17 the time. They were another tool in
18 the arsenal. But for 20 something
19 years, a product has existed through
20 my research called alster liter 2
21 and it's a bioremediation agent
22 that's proven in 35 countries
23 globally. It's in 190 military
24 bases. Your own Coast Guard uses
25 it, as well as other members of the

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1 Defense Department.
2 All 190 branches use this. It
3 safely cleans up and detoxifies oil
4 with hydraulic lift properties. It
5 takes oil in the water colony and
6 elevates it with a positive lift.
7 This is what Senator A.G. Crowe
8 sent a letter demanding to RRT back
9 in June to utilize this product, as
10 well as send a letter in May
11 demanding the cease and desist of
12 dispersants in Louisiana waters. It
13 was ignored.
14 It wasn't until later in May
15 that the EPA's secretary asked for a
16 less toxic use type of dispersants.
17 Corexid 9500 was selected because of
18 its availability, equally as toxic,
19 slightly less in Corexid. When
20 mixed with oil, greater toxic.
21 When it was mixed with number
22 two fuel, not our light crude.
23 Where I'm going with this is this
24 response that we've had, has done
25 irreversible damage. That exists

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1 because there's a divergence of
2 silence; NOAA, EPA, BP Science.
3 There's an independent community
4 out there that says different and in
5 organic chemistry -- the chemistry
6 it should be not -- in the public
7 health. I'm saying that there
8 should be no divergence.
9 I don't know if this is the
10 right forum, but when we're talking
11 about technology and not using the
12 technology that already exists, we
13 repeated attempts to go to RRT and
14 ask that this product be utilized.
15 When BP utilized it for this
16 disaster with success. When the
17 RRT6 used it, (inaudible).
18 I'm talking a lot about one product.
19 You're going to say, "Mr. Curry,
20 what's your tie to that product?"
21 Prior to May 20th when my letter
22 went to Vice President Biden, I had
23 no ties to it.
24 When I had sent a letter to
25 Washington, I had become a

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1 consultant for them so it would
2 accepted in Washington. So since
3 that day, I accepted a contract with
4 them.
5 I also have an arrangement -- a
6 contract with the State of
7 Louisiana, with Senator A.G. Crowe.
8 Admiral Landry, he introduced me as
9 his consultant for this oil spill
10 and we met with her in July.
11 Where I'm going with this and to
12 cut to the chase, New London
13 Connecticut Testing Labs, July 10th,
14 entered into -- sent a letter to the
15 FOSC that this product -- I'm going
16 to pass out the NCP letter -- could
17 be utilized in this response.
18 It is the first response --
19 international first response
20 oilfield fight product that can be
21 sprayed when oil is spilt. It will
22 within seven to nine days, 12 days,
23 turn the oil to a Co2 and water
24 converted as enzymes and detoxify
25 the oil, cause hydraulic lift where

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1 it changes the density, causing the
2 water to stay on the water surface
3 where oxygen is plentiful and within
4 a short period of time before
5 natural bioremediation, thus no
6 contamination, no threat to the
7 ecology.
8 This has existed since the Exxon
9 Valdez. I have documentation in my
10 file that supports this. This has
11 been made available and brought to
12 the surface the entire time. It's
13 been ignored.
14 If we're looking for new
15 technology and we've had it the
16 whole time and didn't use it,
17 something's wrong.
18 Let's get back to dispersants.
19 There's no definable test published
20 that natural bioremediation is
21 afforded with the use of corexid
22 dispersants. Yes, it breaks the oil
23 down, changes the organic chemistry,
24 and it falls in the water column.
25 EPA's test proved where it

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1 passed the test because they had
2 been blinged with hard crude and
3 light Louisiana crude, so it could
4 pass the test. It had to have a 40
5 percent sink rate.

6 This product did not pass it;
7 however, it was not a dispersant.
8 It caused hydraulic lift in that
9 test.

10 I'm a little short-winded, but
11 my point is, and we can talk after
12 the meeting, there's technology
13 that's existed. Had we utilized
14 this technology, had people listened
15 and had an open door versus a closed
16 door to this response.

17 Now, in defense of the response,
18 we had 10,000, 12,000, 13,000
19 products come to the surface.
20 Everybody from the President or the
21 Vice President down or anybody in
22 legal industry was pushing a
23 product, so whoever was vetting the
24 products and making decisions were
25 being bombarded.

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1 The problem, this got overlooked
2 possibly, but again, through this
3 vetting process, through ten times
4 the Horizon project vetting process,
5 LSU's process whereby May 7th or 8th,
6 the Louisiana Governor asked the
7 department for use of the water and
8 he was shut down by the Incident
9 Management because we did not have
10 RT approval.

11 Now again, the question is still
12 out there if the water is safe, if
13 the seafood's safe. I have a
14 document full of reports from
15 Royders, independent scientists,
16 they bring scientists in there to
17 tell you it's not, but you've got
18 such economists.

19 That's why as an economist, I'm
20 coming to you. It's important to
21 find a solution to mitigate and
22 detoxify what may or may not be
23 there and the most cost effective
24 measure. We have a responsible
25 party and responsible parties that

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1 have limited resources.

2 If this response was adequate
3 or, and I'm saying it's not, but
4 that's subject to interpretation,
5 but if the response was done and
6 utilized all the resources
7 available, we would not have the
8 consequences we have, and it's going
9 to happen in the future.

10 I have Stanley Rice from NOAA, a
11 paper he wrote on the Exxon Valdez,
12 called "Persistence of Toxicity".
13 We have probably 1/5 the oil here
14 that they had there or five times
15 the oil that they had, but the
16 massive amounts of oil, treated with
17 subsurface dispersants gasifying to
18 disperse the gas hydrocarbons and
19 it's out of sight, out of mind, but
20 no one can tell you the long-term
21 damage to the ecosystem of the
22 fisheries or anything else.

23 We're only looking coastal. And
24 yet, we have toxin reports.
25 Royder's the first of this month

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1 reported a May report that
2 polyhydrocarbons were found at the
3 well site and the concern was --
4 this was back in May, if more oil
5 than dispersants were used, what's
6 going to happen? Well, that's been
7 hidden.

8 You know, if we're looking at
9 research, look at what's what.
10 Let's evaluate fully and be
11 proactive and take what we have to
12 work with.

13 With that, there's enough
14 documentation. It's not what I say.
15 I'm a nobody. I don't have the
16 credentials that's in this room, but
17 I don't have an interest one way or
18 the other.

19 Yes, I did take a contract to
20 get a letter to Vice President
21 Biden. Yes, I do have a
22 relationship to Senator Crowe
23 because I'm a resident of Louisiana.
24 I'm worried about the gas and oil
25 for these polyhydrocarbons getting

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1 up in the water column and the
2 atmosphere and coming back as toxic
3 rain.

4 I went to NOAA and CEC officials
5 back in May and June with my
6 hypothesis when I'm doing constant
7 economic analysis. I'm looking at
8 the coastal zone dead in 50 years.
9 I'm looking at giving up - If a
10 hurricane would have happened, cross
11 contamination outside of our coastal
12 zone, and when you start putting the
13 numbers, that's scary. Enough to
14 where I went and met with our
15 Attorney General.

16 You're looking at "X" billion
17 dollars of damage. What happens if
18 this, and you have a responsible
19 party that may or may not be able to
20 pay?

21 I've gotten off the subject, but
22 the issue is technology. We have
23 it. We have not used it and being
24 we have to have the desire to use
25 it. With that, I'm very grateful to

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1 Admiral Landry, Admiral Watson, you
2 know, everybody that I work with,
3 not throwing stones, basically, just
4 trying to find solutions, trying to
5 follow the right protocol, trying to
6 make sure we're responsible.

7 In my reports to CEC and, you
8 know, going up to Homeland Security
9 if I have the proof to support that
10 and not being in the public. This
11 is the only public meeting I spoke
12 to, except a May 20th meeting at the
13 ??Houma Civic Center in front of
14 Captain Stanton, a person from EPA,
15 Sam Coleman, as well as someone with
16 BP.

17 But again, as a citizen of
18 Louisiana, outraged that we're not
19 using all the resources and tools
20 available to mitigate or cleanup or
21 detoxify this problem.

22 With response to future oil
23 spills, with response to accidental
24 spilling, we had three accidents
25 since Horizon by independent oil

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1 companies. The question was, did
2 they -- could they use dispersants
3 without having the risk of buying
4 the oil like BP?

5 Well, if we switch from
6 dispersants and use an equal product
7 that can give you a defined incarn
8 of Co2 and water, LSU's own testing
9 proved this June of '09 when it
10 recertified the NCP test.

11 So we have the technology. We
12 have to use it. If we have oil
13 spills on a rig, we spilled 20
14 gallons or 2,000 gallons of oil, you
15 spray it, apply it on and you read
16 Section 6 of the NCP letter and look
17 at the application.

18 You know, unless the NCP letter
19 by the EPA is incorrect, you know, I
20 don't know what else to tell you.
21 Thank you--all folks and if someone
22 has a question, please ask me
23 afterwards because I don't want to
24 take away from the rest of the
25 meeting, but, you know, I didn't

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1 know what this forum was, but I
2 didn't want to miss it. Thank you.

3 If there's any questions, I'll
4 answer them.

5 CAPTAIN CAPLIS:
6 Yes, sir. Thanks for sharing,
7 you know, your concerns and comments
8 and certainly, you know, the ICCOPR
9 is about trying to advance the
10 different technologies that we have
11 as tools in our arsenal and then,
12 you know, we have a system in place
13 through the RRT's and the NRT to try
14 and determine, you know, when it is
15 appropriate to use the different
16 technologies.

17 So I would encourage you to
18 continue to, you know, have dialogue
19 with -- with the RRT's here.

20 DAVID CURRY:
21 This is your Coast Guard letter
22 authorizing FOSC to use it after
23 that.

24 CAPTAIN CAPLIS:
25 Yeah. Honestly, this session

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1 really wasn't to really take a look
 2 at the oil spill and the response,
 3 so I really can't comment on that,
 4 but I do appreciate you raising the
 5 concern and we'll look at that.

6 DAVID CURRY:
 7 I apologize if I was in the
 8 wrong meeting.

9 CAPTAIN CAPLIS:
 10 No. No. Your comments are
 11 valid. Thank you, sir.
 12 Anybody else that wants to enter
 13 in a comment. Any of the Coast
 14 Guard folks?
 15 Okay. Anybody from the Panel
 16 that wants to make any closing
 17 comments? No? Okay.
 18 Well, I'd like to thank
 19 everybody that came out today and
 20 for your comments and discussion.
 21 The information will play a critical
 22 role in how the ICCOPR here moves
 23 forward and how we update the 99 --
 24 or excuse me, the 1997 plan with --
 25 with the current version of a plan

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1 that will help us with the way ahead
 2 as we move forward.

3 This is the last of three public
 4 meetings and our mission really was
 5 to hear comments from all the areas
 6 nationally and not from any -- from
 7 just any one region.

8 The Gulf of Mexico oil spill, it
 9 certain brought R&D issues into the
 10 limelight and we will work to insure
 11 that planning and coordination among
 12 agencies is accomplished as we work
 13 to improve spill response as a
 14 whole, so I appreciate your time and
 15 comments and your participation.

16 I would say if you have any
 17 additional questions about the
 18 ICCOPR, please see any of us after
 19 we close here and we'll be happy to
 20 discuss those with you and other
 21 than that, I thank you very much for
 22 showing up. Thank you.

23 Oh, sorry. My trustee
 24 Lieutenant wanted me to mention that
 25 the ICCOPR now has a new website up

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1 and that is the new web address and
 2 I think it's a really well done
 3 website and we hope to populate that
 4 with, you know, the latest
 5 information on R&D as we move
 6 forward.
 7 So maybe tuck that away for
 8 future use as we go forward with our
 9 efforts. Thank you.

10 (The Meeting was concluded at 9:49 a.m.)

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1 R E P O R T E R ' S P A G E
 2 I, Tara Torres-Blank, Certified
 3 Court Reporter, in and for the State of
 4 Louisiana, the officer, as defined in Rule
 5 28 of the Federal Rules of Civil Procedure
 6 and/or Article 1434(b) of the Louisiana
 7 Code of Civil Procedure, before whom this
 8 sworn testimony was taken, do hereby state
 9 on the Record:
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<p>Page 33</p> <p>C E R T I F I C A T E</p> <p>1 This certification is valid only for a 2 transcript accompanied by my original signature and 3 original raised seal on this page. 4</p> <p>5 I, Tara Torres-Blank, Certified Court 6 Reporter, in and for the State of Louisiana, as the 7 officer before whom this testimony was taken, do 8 hereby certify that after having first been duly 9 sworn by me upon authority of R.S. 37:2554, did 10 testify as hereinbefore set forth in the foregoing 11 pages;</p> <p>12 That this testimony was reported by me in 13 the Stenomask method (voice-writing), was prepared 14 and transcribed by me or under my personal 15 direction and supervision, and is a true and 16 correct transcript to the best of my ability and 17 understanding;</p> <p>18 That I am not related to counsel or to the 19 parties herein; am not otherwise interested in the 20 outcome of this matter; and am a valid member in 21 good standing of the Louisiana State Board of 22 Examiners of Certified Shorthand Reporters. 23 24 25</p>	
<p>Page 34</p> <p>1 Tara Torres-Blank (#22012) 2 3 Certified Court Reporter 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	