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June 10, 2010

Dr. Tony Hayward
Chief Executive Officer
BPPLC
1 St. James's Square
London SW1 Y 4PD
United Kingdom

Dear Dr. Hayward,

I am deeply disappointed to learn that BP has not taken all steps necessary to protect the health and safety of the thousands of volunteers and workers performing clean-up duties in the wake of the devastating oil spill in the Gulf Coast. Eleven men lost their lives as a result of this disaster. Everything possible must be done to ensure that no one else does. Protecting every worker responding to the oil spill must become a paramount priority for BP. Despite BP's public statement that it is fully protecting workers, workers are getting sick as part of the response and containment efforts. In addition, there is no independent comprehensive exposure and medical assessment of offshore workers. This is imperative if we are to ensure that BP is doing everything in its power to protect the health and safety of those cleaning up the worst oil spill in our nation's history.

Section 20(a)(6) of the Occupational Safety and Health Act of 1970 provides that the National Institute for Occupational Safety and Health (NIOSH) shall conduct a Health Hazard Evaluation (HHE) to determine whether exposures to substances have "potentially toxic effects in such concentrations as used or found" following a "written request by any employer or authorized representative of employees..." On May 28, 2010, after numerous reports of worker illness such as nausea, vomiting and headaches, BP submitted an HHE request to NIOSH, but limited its scope to include only those workers on the Vessels of Opportunity operating along the Louisiana coast. This request only covers a portion of the over 15,000 workers participating in clean-up activities.

Failure to request the full monitoring of all workers responding to the oil spill could have dire consequences and is irresponsible. In the aftermath of the 9/11 terrorist attack and natural disasters such as Katrina, it is clear that health effects to emergency responders are significant and can ultimately prove deadly.

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The magnitude of the Deepwater Horizon disaster is unparalleled and the potential health risks for clean-up workers remains largely unknown. Workers are being exposed to extreme heat, crude oil, oil byproducts, dispersant and other unknown chemicals. More than 1.1 million gallons of dispersant have been sprayed in the Gulf Coast; however there remains little to no evidence on what the short and long-term impact of the dispersant will be on workers and the communities exposed to these chemicals.

There is evidence that workers participating in oil-spill clean-up activities may experience long-term respiratory problems. The first study to examine the long-term health effects for oil clean-up workers found that clean-up workers from the 2002 *Prestige* oil spill in Spain experienced a higher rate of respiratory symptoms one to two years after participating in clean-up activities. The work the Deepwater Horizon oil spill responders are performing could be exposing them to risks of illness.

I urge BP to do what it already should have done weeks ago: request that NIOSH conduct an HHE that examines the conditions and exposure levels workers face at every worksite tied to this disaster, including those carrying out source control, surface control, as well as shoreline workers, and workers who are decontaminating wildlife. Given the urgency of the situation, we request that you make this request to NIOSH in the next 48 hours and to make this document public.

I understand NIOSH stands ready and able to respond to this request, as they have since receiving your narrower May 28th HHE request. It is essential that every step available is taken to protect the health and safety of these workers and the residents of the Gulf Coast.

Sincerely,

A handwritten signature in dark ink that reads "George Miller". The signature is written in a cursive, slightly slanted style.

GEORGE MILLER
Chairman

CC: The Honorable Hilda Solis
The Honorable Kathleen Sebelius
Admiral Thad Allen, National Incident Commander
Mr. Doug Suttles, Chief Operating Officer, BP Exploration and Production