



11760 Commonwealth Drive
Louisville, KY 40299
502-267-0101 Fax: 502-267-0181

Senate testimony outline

Background –

C.I.Agent Solutions® is a Louisville, Kentucky based company. Our primary business is designing and building SPCC secondary containment systems for the electric utility industry utilizing polymer technology. C.I.Agent® is the principle component in our products. C.I.Agent is a proprietary blend of USDA food grade polymers which are non-toxic, non-corrosive, non-carcinogenic, and non-hazardous. They are typically used to manufacture plastic food ware and medical devices such as IV bags, syringes and surgical gloves.

C.I.Agent polymers have been listed as “solidifier” on the EPA NCP product schedule for the use on oil spills since 1994. C.I.Agent has been successfully used on oil spills under the direct supervision of both state and federal on scene coordinators from the USCG and EPA. We have nearly a decade of case studies validating the efficiency and cost effectiveness of C.I.Agent solidifiers.

C.I.Agent is capable of solidifying hydrocarbons such as (sheen – refined oils – diesel fuels - bio-fuels – vegetable & seed oils – crude oils – bunker c) upon contact turning the liquid hydrocarbon into a solid rubber-like mass that floats. The solidified hydrocarbon is bio-unavailable to any living organism. Fish, turtles, birds, manatees, and dolphins could swallow it thinking it was food and they could not metabolize it as it passed harmlessly through their digestive systems.

Hydrocarbons solidified with C.I.Agent are 100% recyclable – they can be used as fuel and as raw materials for asphalt.

C.I.Agent Solutions personnel have been regularly attending RRT meetings across the nation for the past eight years trying to get the regulatory community to examine, study, and recognize the effectiveness of using C.I.Agent solidifiers as an alternative method of oil spill clean-up. The case studies of actual spill clean-up events have proven without exception that C.I.Agent reduces the time of clean-up; the environmental impact; and the cost of clean-up on average 50% to 80%.

To date C.I.Agent has been pre-approved for use on oil spills by a number of regional response teams (CRRT, RRT3, RRT4, AND RRT6) under (40CFR part 300 subpart J) of the national oil spill contingency plan. Each of these pre-approval documents is very limited in the scope of their use of solidifiers.

Under the guidelines set forth in these documents C.I.Agent Solutions has been engaged in an ongoing training program in the proper application and recovery of solidifiers. We have trained USCG MSO personnel in nearly every port from New York harbor to Miami and from Miami to Houston. The USCG is willing and prepared to use C.I.Agent. But until a spill is federalized they have to follow the “play book”.

This brings me to the reason we believe that alternative technology is being shut out of the current BP deepwater horizon oil spill.

The reason does not lay with any single entity . . . Not with BP . . . Not with the USCG . . . Not the federal or state agencies currently working on the spill. In fact, every one of these groups are fully engaged and following their prescribed duties as forth in the national incident management system. The NIMS was created in 2003 in order to have a consistent nationwide template to follow in the event of a national crisis.

We have national response teams; regional response teams; area and local response teams all following their respective “play book”. The groups have planned and trained for years. We have even had **SONS drills** “spills of national significance”.

During these many years of training vendors have had very limited access and opportunity to bring new technology forward. Vendors are **not** permitted to attend the national response team meetings. Vendors are permitted to attend, observe and occasionally participate in the RRT meetings.

The system does not encourage or promote the active research of new technology. There is no prescribed avenue for vendor participation. It is simply not a priority.

Now that we have genuine “sons” event new technology stands on the sidelines while everyone dutiful follows an outdated play book.

The following are examples of new technology proffered by C.I.Agent Solutions over the past 40 days:

4/26/10 – BP requested C.I.Agent Solutions to come to Houma, LA to consult on shoreline protection.

4/31/10 – ADEM & BP contacted C.I.Agent Solutions to construct an oil-water separator on the north shore of Dauphin Island utilizing C.I.Agent polymer technology to protect the nesting habitat of marine birds.

5/12/10 - BP made a request to test C.I.Agent on the oil at the well head. The request was assigned to an “ARTES” alternative response tool evaluation committee. As of this date C.I.Agent Solutions has yet

to be ask to participate in the "ARTES" process as required under the "ARTRES" protocols and even after numerous written request to the committee to join the process.

5/20/10 – C.I.Agent solutions brought in from our Australia group a marine engineer and a complete advanced system to apply and recover solidifiers. The "ARTES" committee was informed power points covering the equipments capabilities were sent for review.

The C.I.Agent water cannon and recovery system is currently being used in Australia on oil spills; to recover the oil and for vessel hull cleaning.

The current USCG directive for vessel hull cleaning in affect for the horizon deep water spill was written in 2003 and calls for the use of Corexit 9580. This is the same type of dispersant currently being challenged by EPA due its toxicity.

C.I.Agent Solutions offered at no charge 4 new water testing devices the C.I.Agent C.L.A.M. (continuous low level aquatic monitoring) currently used in California to several federal and state agencies responsible for water monitoring. The C.L.A.M. is capable of taking a 100 liter sample rather than the normal 1 liter sample and reads pollutants down to parts per billion rather than parts per million. It is capable of reading both oil and dispersant levels at the same time.

All agencies recognized the value of this advance technology but all refused to deploy the C.L.A.M. stating that they could not use because it was outside of the protocols.

The final road block prohibiting the use of new technology is the spill response industry. C.I.Agent has met with the chief executives of nearly every major spill response company in the nation trying to encourage the use of our products as part of their response capability. Without exception we have been told that they know our technology works, but they are not going to use it until someone makes them, because we sell labor.

2005 – Hurricane Katrina – C.I.Agent was brought to Bayou Le Batre by the USCG gulf strike team to clean up pockets of oil in the marshes. We were asked to leave the area by the OSRO (oil spill response organization) because our methods cleaned up the oil too fast.

2008 – Mississippi river barge/tanker spill – C.I.Agent was contacted in the pre-dawn hours by both the barge owner and USCG district 8 to come to New Orleans and bring our technology to clean up the sheen along the river walk. Standing outside the incident command center with the responsible party and USCG personnel the OSRO refused to use our technology stating that they were making too much money to use solidifiers.

2010 – C.I.Agent Solutions presented the option of using beach cleaning equipment to remove tar balls from the beach instead of using mass pools of labor. One machine is capable of replacing 300 laborers. The daily cost of the machine is \$3400.00 – the daily cost of 300 labors is \$13,500 per hour or \$108,000 per 8 hour shift.

The response industry has known of our technology as well as others for more than a decade and has consistently refused to apply it. As long as the response industry controls the response activities on the ground at these major spill events, new technologies and solutions will remain on the side lines. They are making billions of dollars putting bodies on the beach using outdated methodology. No one wants to stop or get off the gray train.