

11 memorable quotes from the BP oil spill trial's penalty phase

Testimony in the civil trial over the 2010 Gulf of Mexico oil spill ended Monday (Feb. 2), two years after attorneys for BP, the federal government and BP's partners first started their arguments. The trial was split into three phases.

The third and final phase, which began Jan. 20 and ended Monday, will determine how much BP Exploration & Production and partner Anadarko Petroleum Corp. will pay in Clean Water Act fines for the spill. BP faces a \$13.7 billion maximum penalty.

Click through to read memorable quotes from the final phase of the BP oil spill trial.

The penalty 'has to be high enough that companies of this size won't let a spill like this ever happen again. But, again, not so high as to be ruinous to their operation.' - Steve O'Rourke, Justice Department attorney

The federal government wants BP to pay the maximum \$4,300-per-barrel maximum penalty for the oil spill, reaching \$13.7 billion total. It also wants Anadarko to pay at least \$1 billion in Clean Water Act fines.

The Justice Department, BP and Anadarko spent much of the recent trial arguing over what level of penalty was appropriate to prevent future spills.

BP argued its penalty should be much lower, noting the more than \$40 billion in oil spill liabilities it already faces. Anadarko is seeking no penalty, arguing it had no role causing the oil spill.

'This was a disaster to which few people actually could respond. There were some involved in the cleanup, but most people were simply not able to respond to help themselves.' - Diane E. Austin, U.S. witness

Austin, director and professor at the University of Arizona School of Anthropology, was called by the Justice Department to testify that the oil spill "caused serious and widespread sociocultural harm to coastal communities."

Austin noted many of the communities affected by the spill had lived through hurricanes. But unlike the rebuilding that occurs after a hurricane, there was little they could themselves to bounce back from the spill, she said.

'Basically everywhere the oil went, it created harm.' - Donald Boesch, U.S. witness

Boesch, president of the University of Maryland Center for Environmental Science, was one of two witnesses the U.S. called to testify to the environmental impact of the oil spill. Boesch said the spill damaged a wide range of sea life, including dolphins, fish, sea turtles and seaweed.

He also said the oil may have done long-term damage to the deep-sea bed, the microorganisms that live there, and the fish that eat those organisms.

'These guys here certainly will survive for a while. But the ones that can't swim as fast, they're called prey.' - Stanley D. Rice, U.S. witness

Rice, a retired National Oceanic and Atmospheric Administration toxicologist, testified that water samples taken after the oil spill show high levels of toxins known to cause reduced heart rates, bent spines and deformed fins in fish.

Rice presented the video at left during his testimony to demonstrate how the forming hearts in fish embryos are impacted by toxins found in crude oil.

'This company (BP) is - actually, has a better balance sheet today than it had before the spill.' - Ian Ratner, U.S. witness

Ratner, a forensic accounting expert, testified both BP Exploration & Production, or BP XP, the BP subsidiary that is the named defendant in the case, and the BP parent group had healthy financials despite \$40 billion in oil spill liabilities. Ratner said Anadarko is also fiscally strong.

Ratner said both BP XP and Anadarko would be able to pay the maximum Clean Water Act penalty.

'Based upon the extensive data and all of the work that's been done under the direction of the Coast Guard, I personally have no concern about oil washing in from the offshore to the shoreline.' - Laura Folse, executive vice president for response and environmental restoration, BP

BP called Folse to testify on oil spill cleanup efforts on the shoreline. Folse said the majority of oil buried on beaches has been removed. The company continues to support "firehouses" on Grand Isle and in Gulf Shores, Ala. with equipment and personnel to respond to reports of oil on beaches, she said.

'I'm not trying to cut you off, but a lot of this I've heard already.' - U.S. District Judge Carl Barbier

Barbier, who is overseeing all of the litigation related to the oil spill, including the civil trial, urged attorneys for both sides to avoid rehashing evidence and testimony from prior phases throughout the trial. At several points during the trial, Barbier interrupted testimony to reiterate this point.

'Our thought was that there was going to be a lot more oil on the shorelines than what we actually ended up with, fortunately.' - Elliott Taylor, BP witness

Taylor, a principal at Polaris Applied Sciences, a Kirkland, Wa.-based oil spill response firm, testified for BP on his personal experience as an adviser during the oil spill cleanup. Taylor said the effort to clean oil from beaches and marshes was "comprehensive, thorough and effective."

'The images of those dead birds that were oiled, like pelicans, stick in people's minds more, and so it's easy to get emotionally involved in those things...you have to step back and critically and unemotionally, objectively to look at what's going on.' - John W. Tunnell, BP witness

Tunnell, associate director at the Harte Institute for Gulf of Mexico Studies at Texas A&M University – Corpus Christi, testified that fish, shellfish, bird, sea turtle and dolphin populations in the Gulf of Mexico were not "significantly impacted" by the oil spill. He based his findings on historical and post-spill wildlife population data.

'BPXP did what I consider the civically responsible thing. They tried to get the money in the people's hands as quickly as possible. And it wasn't just a little bit of money. It was a lot of money.' - Loren Scott, BP witness

Scott, a Baton Rouge economist, testified the oil spill delivered a "short-lived" economic hit to parts of the Gulf Coast. Scott said the \$25.7 billion BP spent on response, claims and other programs countered any long-term economic impact.

'I'm proud of the company (BP) for mustering the resources and bringing everything we had to this fight.' - Richard Morrison, chairman and president, BP XP

BP called Morrison to testify on the company's "move-heaven-and-Earth" approach during the oil spill cleanup and response. Morrison said a high Clean Water Act penalty would strain BP XP's operations and there was no guarantee the subsidiary would receive help from its parent group.

Morrison added BP continues to share its experiences from the oil spill with regulators and industry peers worldwide in an effort to prevent future disasters.

The Deepwater Horizon disaster "was tragic," Morrison said. "Nothing we do or say is going to change that. What we can do is change the future. We can prevent this from happening again."

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