

Official Responses

November 3, 2008

The Justice Department released the following statement:

In October of 2007, BP Exploration Alaska, Inc., agreed to plead guilty to a misdemeanor violation of the Clean Water Act to resolve criminal liability relating to pipeline leaks of crude oil. As a result of the guilty plea, BP Alaska agreed to pay \$20 million which included the criminal fine, community service payments and criminal restitution.

The allegations by Mr. West that the Department improperly handled the case are not based in fact and are simply not true. Mr. West implies that something sinister took place between June 12 and August 28, 2007. As with any investigation, there comes a point in time when further investigation is no longer warranted if it does not have a realistic chance of generating useful evidence. In this case, the judgment by career prosecutors was that the case had been sufficiently and fully investigated to reach appropriate charging decisions. No further investigation was likely to find evidence that would shed any new light on the essential facts of the case. The investigators from the EPA and FBI agreed with the prosecution's approach.

This case was an example of an excellent partnership between prosecutors from Washington D.C. and those from the U.S. Attorney's office.

The EPA released the following statement:

"EPA takes criminal violations of the law very seriously. EPA vigorously investigates and recommends charges for both individuals and corporations whenever appropriate. Over the past two years, 70% of the criminals charged in environmental crime cases were individuals, not corporations.

In the case of BP Alaska, after a robust 18-month criminal investigation, EPA, FBI, and DOT, along with DOJ prosecutors, jointly concluded the corporation was liable for a negligent discharge of oil.

EPA, along with DOJ, also concluded that further investigative efforts were unlikely to be fruitful. At the same time, nothing in the plea agreement for this investigation precludes prosecution of individuals, should events or evidence indicate misconduct.

This case was an example of strong teamwork among the agencies and resulted in the appropriate outcome."