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# ENVIRONMENTAL DISASTERS AND ACCOUNTABILITY OF OIL COMPANIES

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**ABSTRACT:** *This article aims at examining environmental disasters and their impacts in the light of the biggest oil spill in history, The BP oil spills. It aims at explaining how oil companies are accountable to the public for occurrence of catastrophic incidents like the BP oil spill. The company's accountability for the damage done to the environment is a matter of growing concern in the contemporary world. This article also throws light upon the lessons that we can learn from the BP oil spills, and provides legal solutions for the same to ensure that apart from the UN, the government and oil companies, each citizen can help in his/her own way to prevent the happening of such disasters and thus be able to mitigate the loss, if such an incident takes place.*

**KEYWORDS:** *Accountability, Companies, Disasters, Environment, Government, Oil.*

## INTRODUCTION

An oil spill refers to the unintended leakage into the atmosphere of liquid petroleum hydrocarbons due to human action. Chemical movement by tankers and pipelines, offshore exploration, wells and leaks of refined petroleum products such as gas, diesel and their byproducts are the sources of unintended oil input into the sea. Sober-sided risks to fresh water and aquatic ecosystems are caused by leaked oil. It impacts surface resources and a large variety of subsurface species that are connected to human food resources in a diverse food chain.[1]

In many ways, it can impact the environment, including physical degradation that specifically impacts animals, and the toxicity of the oil itself that can poison the species exposed to it. There are relatively uncommon instances of massive and devastating leaks that leak up to 30,000 tons of crude, and occurrences like this are less common these days. But after we witnessed the deadliest and biggest oil spill ever reported in history, the Deep Sea Horizon Oil Spill, also referred to as the BP Oil Spills or the Gulf of Mexico Oil Spills, there was a turning point. The Internal Investigative Team of BP issued a study analyzing the circumstances leading up to the crash, claiming that a leakage of hydrocarbons from the well and then onto the oil rigs triggered the burn. It caused three breaks in the piping until the rig sank. The high-pressure gas exploded and caused the oil spill to erupt. It appeared to be very negative to the outcome of this leak. Massive volumes of water and the beaches of the Gulf of Mexico were polluted by the oil spill. A large number of animals, comprising around 4,768 species, died in and around the gulf, as reported by H.M.

## DISCUSSION

In response to the leak, urgent relief and assistance has been offered by the government, BP, the U.S. Coast Patrol, groups for the community and state departments. President Obama announced that before the full investigation was carried out into whether the leak should have been stopped, the U.S. would not approve further offshore exploration. A state of emergency was proclaimed and precautions were taken to deter oil from further affecting lakes, marshes, coasts, estates, tourism industries and enterprises.[2]

The biologist, Charles Fisher, led the expedition to uncover the demise of the coral culture. There were 11 direct casualties, 17 deaths, \$37.2 economic benefit damage & whole plant loss. BP has invested billions of dollars on the cleanup, compensation and reconstruction of the Gulf region's climate and economy, which has proven to be economically harmful to the corporation. BP, which was considered one of the largest corporations that provided petroleum to the planet, struggled as BP's image was destroyed by social network activists and Greenpeace. Therefore, the leak caused an insurmountable harm that harmed the economy, climate, and lives of many.

#### *Accountability of Oil Companies*

There is still responsibility under every penal framework for those that refuse to comply with the obligations enforced by the statute. Financial businesses that pay inadequate attention to the legal, ethical and international treaties of the Organisation of the United Nations. Companies must satisfy the conflicting conditions of the world, i.e.: conservation of the environment as well as economic growth. Sustainable growth, which was given a further boost in the 1972 Stockholm Declaration, is called combining and matching economic and environmental policies.[3]

BP ignored the above theory of failing to achieve a balance between its economic and ecological requirements. BP had to make social and economic decisions both before and after the event, taking into account the recommendations of the Agenda implemented by the UNCED. "BP has refused to comply with the Rio Declaration's recommendations, such as "the right to progress must be met in order to address the development and environmental needs of present and future generations in an equal manner" and "the States shall develop national regulations on responsibility and restitution for pollution victims".[4]

An oil spill is one such occurrence during the shipment of oil or underwater exploration that they have been obligated to take steps to expect, deter and assault. The concept of Polluter pays still applies, meaning that absolute responsibility for harm to the ecosystem is applied to the expense of repairing the environment and not simply to the recovery of the victims. In order to ensure sufficient coverage for individuals suffering oil pollution loss arising from such maritime accidents, the International Convention on Civil Liberties for Oil Pollution Damage, 1969, was adopted.[5]

It places blame on the owner of the ship from which the polluting oil escaped or was discharged for such harm. The International Convention for the Protection of Pollution from Ships (MARPOL) includes the prevention, for operational or unintended purposes, of the pollution of

the aquatic environment by ships. In addition, there is the International Convention on Preparedness, Reaction and Coordination for Oil Pollution, 1990, which allows ships to hold an emergency plan for oil pollution to respond quickly and efficiently to incidents of oil pollution. There is another element of transparency, the principle of credibility, that firms require a good social relationship to get resources in exchange.[6]

## LESSONS LEARNT FROM BP SPILLS

Errors can and do happen in our line of work, but leaving them unattended is a far greater error. Not only did BP CEO Tony Hayward make uncomfortable and offensive comments such as "I'd like my life back," referring to the way the spill had taken over his time, but he was off the coast of London watching his yacht participate in a competition when the oil was gushing out on the Gulf of Mexico.

"Instead of owning and ensuring that things are restored to their place, the leader said, "The Gulf of Mexico is a very wide ocean. The amount of oil and dispersant volume we bring into it is limited compared to the actual volume of water. This teaches us that the organization is not going to thrive with executives like these. Furthermore, as Mark Twain said, "Honesty is the best policy if money is involved." BP undermined its own image and integrity with the federal and state governments as well as the people by failing to say the facts to the public.

The one question that the public didn't get tired of asking BP in 2010, was about the amount of oil leaked.

Thirdly, crisis leadership is also necessary. When things get tough, as it did with BP, people will judge you as to how well you cope through a situation such as the BP oil spills. Our lives are full of ups and downs. Before it gets to you, it is important to handle the situation.

We are researching them as a case of inadequate corporate crisis management, because BP failed in this aspect.

Fourthly, while the oil and gas industry are revolutionary and technologically sophisticated in the production of hydrocarbons, effective protection precautions and procedures should be taught to help deter another Deep Water Horizon spill from occurring. Furthermore, preparation should be offered in the worst-case situation to recognise possible challenges and enhance the readiness of the company to cope with those events in the future.

Fifthly, cost minimization must never make us a safety compromise.

The top management at BP was originally committed to successful protection practices, according to the Financial Times, 2010, which changed owing to the expense minimization approach. BP opted for a comparatively economical well drilling technique from two options. For any industry, cost is an essential factor, but not the only factor.

Sixth, as generally happens, a tailoring strategy that defines efficiency, risk and safety measures is executed before the activities of a large project are carried out, which was not achieved in the case of BP. We must ensure that every activity of this nature is carried out with great preparation and awareness of all facets of risk management, at least in the future. Seventhly, the effect for citizens depends on how large the oil firms' pockets are and to what degree they are able to pay. If BP had not followed the requirements specified, it would have taken hundreds of thousands of more claimants to fix this issue.[7]

### *Legal Solutions*

Prevention is easier than treatment, as we're all conscious. This is true even in the event of an oil leak happening. If we take a few protective steps, we won't have to complain about the leakage of oil or the harmful effects later on.

First of all, it is important for employees concerned with the processing, storing and transport of oil across seas and other bodies of water to be trained in the operation of machinery, emergency operations, and to be taught the latest technology that will enhance their understanding and enhance safety operations.

Secondly, Evaluation and analysis of technology and the most accessible and safer solutions are some of the services introduced. They have a variety of laws and legislation in the U.S. that help deal with the facets of oil spills listed above.

Thirdly, "The Clean Water Act was amended and replaced by the 1990 Oil Pollution Act, which states that businesses must have a "plan to avoid leaks that can occur." And have a "detailed oil spill management and cleanup plan. The Expansive Environmental Response, Compensation and Responsibility Act (CERCLA) applies the Clean Water Act's response to a wide variety of toxic chemicals and toxins. The Oil Contamination Act formed the Oil Spill Responsibility Trust Fund in Title I to help promote cleanup operations and pay for the harm caused.

Fourthly, safe equipment operations should be ensured to minimize the risk of a spill and protect people's health and safety. As required by the EPA, specific spill prevention, control, and countermeasure plans (SPCC) are to be implemented.

Fifthly, 'Earthjustice' has been deeply involved in curtailing offshore drilling expansion. They aim to force federal agencies to do their jobs through a series of lawsuits and stop being cozy with businesses such as BP that were allowed to drill recklessly without adequate planning to deal with even a small oil spill. They have also made efforts to force the EPA to reveal the oil dispersant ingredients.

In order to take preventive measures regarding oil spills, the US has the MMS (Minerals Management System) after the Deepwater horizon incident, which makes preventive and emergency response plans. We can do our part as global citizens to prevent oil spills, such as

avoiding the dumping of oil or oily waste into the trash. Wherever possible, we can also help reduce the use of oil, such as saving fuel and opting for bicycles, walking, carpooling or public transportation. People can only help to prevent such disasters by educating and spreading awareness. Apart from these, a number of legal aids are available for the prevention, control, response and restoration of the environment following an oil spill.[8]

Via its International Convention on Civil Responsibility for Oil Pollution Injury, 1969, renewed in 1992, the United Nations Organisation and MARPOL ensure that sufficient coverage is given to persons where they have been impacted by oil pollution caused by maritime casualties involving oil tankers. The 1990 International Convention on Oil Emissions (Preparedness, Response and Co-operation) aims to provide for steps to address and affect maritime pollution. Furthermore, the International Maritime Organisation needs all shipping to have a shipboard oil emission emergency plan with them. They have a variety of laws and legislation in the U.S. that help deal with the facets of oil spills listed above.[9]

### CONCLUSION

"The Clean Water Act was amended and replaced by the 1990 Oil Pollution Act, which states that businesses must have a "plan to avoid leaks that can occur." And have a "detailed oil spill management and cleanup plan. The Expansive Environmental Response, Compensation and Responsibility Act (CERCLA) applies the Clean Water Act's response to a wide variety of toxic chemicals and toxins. The Oil Contamination Act formed the Oil Spill Responsibility Trust Fund in Title I to help promote cleanup operations and pay for the harm caused.

The UN has given us a number of conventions in which, following the event of an oil spill, we are assured of security, restitution and a safe environment. We have, on the one hand, the rule of nature that balances the world, and, on the other hand, the law of nations that preserves the equilibrium in the universal domain of law and justice. The United Nations aims to guarantee the simultaneous upholding of these two ideals, but this will only work if we comply by adhering to these international agreements, and it is the only way we can fight those disasters.

Prevention is easier than treatment, as we are all conscious. This holds true even in the event of an oil leak happening. If we take a few protective steps, we won't have much to worry about later on—neither the oil leakage nor its harmful consequences. It is important to train workers in the processing, storing and transport of oil across seas and other bodies of water in the operation of machinery, emergency operations, and to teach the new technology that will improve their awareness and help increase safety operations.

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