Distribution of Clean Water Act penalties to Gulf recovery per the RESTORE Act

**Clean Water Act Penalties**

- **20%** Oil Spill Liability Trust Fund

**80% Gulf Coast Restoration Trust Fund**

- **35%** evenly split among the 5 Gulf states
- **30%** To Gulf Coast Ecosystem Restoration Council to implement the comprehensive recovery plan (supplemented by 50% of the interest generated by the Trust Fund)
- **30%** to the states consistent with the goals and objectives of the comprehensive plan and based on the following allocation formula:
  - the proportion of the number of miles of oiled shoreline per state compared to total number of miles of oiled shoreline
  - the inverse proportion of the average distance from the BP Deepwater Horizon rig to oiled shoreline of each state
  - the average population of coastal counties per the 2010 census

**2.5%** Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program (supplemented by 25% of the interest generated by the Trust Fund)

**2.5%** Centers of Excellence (supplemented by 25% of the interest generated by the Trust Fund)

*Clean Water Act penalties are a per barrel penalty of $1100 for release of pollution into the environment. If 'gross negligence' is determined in release of the pollution, the penalty per barrel increases to $4300. In the case of the BP Deepwater Horizon incident the following are estimates:

$1100 \times (4.9 \text{ million barrels of oil released into the environment}) = \text{approx } $5.39 \text{ billion}

$4300 \times (4.8 \text{million barrels of oil released into the environment}) = \text{approx } $21.07 \text{ billion} \text{ (gross negligence)}

All amounts are subject to negotiation via a settlement between the government and responsible parties.