

The State of Montana and United States Intend to Seek Natural Resource Damages From Exxon for the July 2011 Yellowstone River Oil Spill

Governor Steve Bullock and the U.S. Department of the Interior (DOI), Co-Trustees for the public's natural resources injured by the 2011 Yellowstone River Oil Spill, today announced their decision to actively pursue recovery of natural resource damages from the ExxonMobil Pipeline Company (Exxon). This decision is set forth in the "Notice of Intent to Conduct Restoration Planning – July 1, 2011, Yellowstone River Oil Spill" (NOI). This notice is available from the State and Federal Trustee contacts and internet sites specified below.

On July 1, 2011, a pipeline owned by Exxon, which crossed the Yellowstone River above Billings, ruptured and discharged about 63,000 gallons of crude oil into the river and floodplain. Thereafter, Exxon performed an emergency cleanup of the oil with EPA and Montana Department of Environmental Quality oversight.

Since this oil spill, the State's Natural Resource Damage Program (NRDP), a part of the Montana Department of Justice (MDOJ), along with its Department of Fish, Wildlife & Parks (DFWP), and DOI's Bureau of Land Management (BLM) and Fish and Wildlife Service have engaged in an investigation of the effects of the spill, and related cleanup efforts, on the public's natural resources. Based upon this investigation, the State and DOI have now determined that both the oil and the activities to clean up the oil caused injuries to natural resources, including fish, birds, wildlife, large woody debris piles, aquatic and terrestrial habitat, and the interim services provided by these resources that were lost, such as fishing, boating and other human uses.

As a result of this determination and the issuance of the NOI, the Trustees will begin to more specifically assess and quantify the injuries to these resources and lost uses, and determine the compensation they will seek from Exxon for causing these damages. The Trustees will prepare a restoration plan, which the public may comment on, that will describe projects to restore the injured resources. It is expected that Exxon will pay for the implementation of plan's restoration projects; and, if it declines to do so, the Trustees may file litigation against Exxon in federal court to recover damages for the natural resource losses.

For More Information Contact: Bob Gibson, DFWP, Billings, Information Officer, 406-247-2950; Kristen Lenhardt, Public Affairs Specialist, BLM, Billings, 406-896-5228; or Robert Collins, NRDP/MDOJ, Helena, Supervising Assistant Attorney General, 406-444-0205

Internet Sites:

- <https://doj.mt.gov/lands/yellowstone-river-oil-spill/>
- <http://www.blm.gov/mt/st/en/info/yellowstonespill.html>