

## **Exxon Mobil Corp. to pay \$11.2 million for illegally polluting New York waters**

By John Heilprin

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Washington—Exxon Mobil Corp., in one of the largest hazardous waste case settlements ever negotiated, will pay \$11.2 million for illegally polluting New York waters with benzene, the government said this week.

The corporation will be barred under law from trying to argue anywhere in the United States that hazardous waste laws should not be applied to a single release or spill, Justice Department and Environmental Protection Agency officials said.

The settlement amount includes \$8.2 million in civil penalties and \$3 million for buying and restoring land in New York City on the Arthur Kill waterway between Staten Island and New Jersey, said Alan Vinegrad, U.S. Attorney for the Eastern District of New York, and EPA regional administrator Jane Kenny.

“At a time when we are losing so much green space in and around urban areas, this settlement insures key areas will be preserved or improved,” Kenny said. “While the environmental violations in this case were very serious, a positive result has come from this case.”

The government filed suit against Mobil Oil Corp. in 1996 for allegedly mismanaging benzene-contaminated waste at its petroleum products storage and distribution terminal on the Arthur Kill waterway in Staten Island. Benzene, a known human carcinogen, became a regulated hazardous waste in 1990.

In 1999, Mobil merged with Exxon Corp. The lawsuit had been scheduled for trial this week before U.S. District Judge John Gleeson in New York. “We take our environmental responsibilities very seriously,” said Exxon Mobil spokesman Barry Wood. He said the settlement would “avoid a long protracted legal proceeding.”

Under the settlement, the corporation admitted liability for discharging hazardous waste between 1991 and 1993 into two large artificial ponds without a permit and legally required environmental protection, government officials said. It will now have to obey the law and regulations raised in the case and clean up the area to match standards set by the EPA once studies of the site are completed.

Officials said government investigators found Mobil generated the benzene-contaminated waste at its terminal facility, capable of storing about 125 million gallons of gasoline, fuel oil, heating oil, and kerosene. The contamination occurred while workers cleaned the barges used to distribute the petroleum products throughout the Northeast. Residues including benzene ran off into the ponds, mixed with rain water, and then got into the Arthur Kill waterway.

EPA officials said their testing found levels of benzene 20 times greater than allowed, and some of the test samples provided by the oil company were manipulated because workers feared the barge-cleaning business would be shut down.