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### Governor Says Montana Was Misled on Oil Spill



Reuters

An emergency crew working along the Yellowstone River in Laurel, Mont., on Wednesday.

By JIM ROBBINS  
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HELENA, Mont. — Gov. [Brian Schweitzer](#) criticized [Exxon Mobil](#) on Friday for its handling of the Yellowstone River [oil spill](#), saying that the company had withheld documents and misled state officials and local residents about the pipeline rupture.

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Jim Urquhart/Associated Press

Gov. Brian Schweitzer inspected oil spill sites in Laurel on Tuesday. The level of the river raised fears that oil would spill into new areas.

He also accused the company of failing to honor open-government laws by denying the state access to Exxon Mobil documents. And as a result, he said, the state is pulling its people from an incident command task force set up to assess and clean up the spill, which occurred July 1.

At a public meeting of about 100 people along the river, the governor passed out sample jars for residents to fill with contaminated soil and water for testing. The evidence, he said, could be used in claims against Exxon Mobil.

The list of the governor's grievances was long. At first, he said, the company reported that the pipe had been turned off within six minutes. Federal records show it was nearly an hour.

Company executives also initially said that [oil](#) had affected just 10 miles of the river, but "now oil has completely inundated the low-lying areas of a state park 40 miles downriver."

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Exxon Mobil has maintained that 750 to 1,000 barrels were spilled, but the governor said he believed it could be more.

Pius Rolheiser, a spokesman for Exxon Mobil, explained the discrepancies by saying, "When we became aware of the incident, we did our best to calculate with the best engineering data that we had."

As for the timing, company officials said that because of the high volume of oil moving through a pipeline — 39 barrels per minute — a ruptured line must be shut down slowly. "You can't just close it," said Alan Jeffers, an Exxon Mobil spokesman. "If you close it too fast, you could damage valves and lose your ability to control it."

The House Subcommittee on Railroads, Pipelines and Hazardous Materials has scheduled the first Congressional hearing on the spill and on pipeline safety for Thursday.

Local residents had complained that the pipeline was exposed for more than a year because of erosion from the Yellowstone River, Mr. Schweitzer said, and had asked Exxon Mobil to inspect it. Company officials said they did an inspection in May but found no problems.

Mr. Schweitzer has written a "demand" letter to Exxon Mobil and the federal Department of Transportation's Pipeline and Hazardous Materials Safety Administration requesting that documents and physical evidence about the condition of the line and the rupture be preserved.

"I said, 'Do not touch that pipeline without a State of Montana representative present,'" he said. "We want to see what happened and preserve evidence."

Mr. Jeffers apologized Friday for the lack of transparency and response and said it was a function of an emergency, not an effort to mislead. "We have apologized and continue to apologize, but there is no attempt to delay or misrepresent."

Jenny Pelej, a staff member of the National Wildlife Federation in Billings, Mont., said it was a mistake to have companies in charge of cleanup efforts after a spill. "Relying on industry to lead the cleanup is a mistake," she said. "We always see problems when industry is in charge."

"They say there is all this cleanup happening, but people haven't seen much," said Alexis Bonogofsky, who works for the National Wildlife Federation and whose hayfields and wetlands along the Yellowstone were flooded with oily water. "And there's no good answers. People don't know what the effects are, long term or short term"

The governor also complained that residents had been kept in the dark about health concerns, and whether they could harvest hay, irrigate or use their well water. "No one has contacted them," he said. Exxon Mobil security guards have also tried to keep residents and the news media from public areas, the governor said.

Because of the high level of the river, oil has spread into low-lying areas along much of its course. "It's spreading a thin film on the wetlands of the Yellowstone," he said. "These wetlands are the health and wealth of the river, and thousands of acres have been compromised."

The rupture may have bearing on a debate over a controversial pipeline being proposed that would carry heavy crude oil from the tar sands of Alberta to Texas and which is expected to pass through Montana and other parts of the West. In spite of this spill, the governor said he still supported it.

A spokesman from the Environmental Protection Agency, the lead agency on the cleanup, said Saturday morning that the oil was concentrated within 20 to 30 miles of the spill and that it had remained largely within that range for four days. About 350 people were actively cleaning oil at 30 sites.

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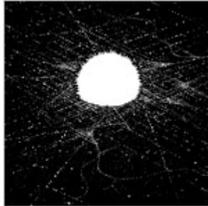


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