



January 5, 2011

**ATTORNEY GENERAL LISA MADIGAN, WILL COUNTY STATE'S ATTORNEY JAMES GLASGOW OBTAIN INJUNCTION
AFTER PIPELINE SPILL**

***Pipeline Owner/Operator Must Assess Environmental Impact;
Pay State and County Costs***

Chicago — Attorney General Lisa Madigan and Will County State's Attorney James Glasgow today requested and the Will County Circuit Court entered a preliminary injunction requiring two pipeline companies to take action and mediate damage from a recent oil spill.

The two pipeline companies, which are allegedly responsible for an oil spill last month, must identify and inspect water supply mains, sanitary sewers and storm sewers, along with private wells and groundwater within one-half mile of the leak, to assess the impact of the oil leak and ensure clean-up.

On Dec. 23, 2010, Attorney General Madigan and State's Attorney Glasgow filed a seven-count complaint alleging state environmental violations by Buckeye Pipe Line Co. and West Shore Pipe Line Co. after a section of oil pipeline was found leaking crude oil in Lockport on Dec. 14, 2010. Madigan and Glasgow filed the suit to ensure protection of area residents from potential health hazards from crude oil that spilled near the pipeline. Private wells and other non-community water supply wells are located in the vicinity of the site.

The lawsuit alleges that as a result of the oil spill, the pipeline companies endangered the public health and welfare, violated the water and air pollution laws and created a public nuisance. The suit seeks to ensure proper clean-up of all pollution caused by the spill, testing of groundwater, soil and sediment for possible contamination and remediation of all impacted areas and nearby water.

In addition, Madigan and Glasgow's suit asks the court to require West Shore Pipe Line, the owner of the 12-inch pipeline, and operator Buckeye Pipe Line, to pay all response and oversight costs related to the Illinois Environmental Protection Agency's (IEPA) and Will County's response to the leak. The U.S. Environmental Protection Agency (USEPA) and other federal agencies also responded when the spill was discovered. The USEPA issued a compliance order on Dec. 16 after Buckeye was authorized to restart the pipeline under greatly reduced pressure.

"These companies must be held accountable for the serious risks this spill posed to the public's health and environmental safety," Attorney General Madigan said. "Today's action will ensure that both companies fully assess and clean up any resulting pollution so that the residents and natural habitat in the surrounding area are protected."

"Oil spilling from a ruptured pipeline jeopardizes public health and can cause significant harm to sensitive wetlands," said State's Attorney Glasgow. "Many pipelines crossing this state are aging and in need of replacement and technological upgrades that will provide local officials with instant notification of breaches. Attorney General Madigan and I will continue working together to protect our citizens and to hold pipeline companies responsible for cleaning up the damage they cause."

Crude oil was found leaking from the pipeline near 13803 S. New Ave., in Lockport, after citizen complaints about petroleum odors in the area. IEPA inspectors discovered that the leak extended nearly 250 to 300 yards from the pipeline into the drainage way between S. New Ave. and railroad tracks. In addition, oil flowed from the pipeline into wetlands that flow into the Illinois and Michigan Canal, which ultimately flows into the Des Plaines River.

The release of oil and its constituent compounds into the air, soil, surface water and groundwater can affect the respiratory and central nervous systems if inhaled and affect aquatic life in polluted waters.

The preliminary injunction obtained by Madigan and Glasgow requires Buckeye Pipe Line and West Shore Pipe Line take the following specific actions:

- Provide to the IEPA copies of all reports and work plans that the companies provided to or are required to provide to the USEPA and the Pipeline and Hazardous Materials Safety Administration contained in the Compliance Order issued Dec. 16, 2010.
- Provide a list of all contacts and correspondence received from or sent to local residents related to the Dec. 14 oil spill.
- Provide copies of all inspection reports on the approximately 3.5-mile section of 12-inch pipeline beginning from the Enbridge pipeline to the Citgo refinery for the years 2000 to 2010 and information about any repairs made to the pipeline during that period.
- Buckeye and West Shore Pipe Line must conduct a private well survey within one-half mile of the pipeline leak, propose a plan to evaluate any impact on private wells and provide the results of the survey and the plan to the IEPA for review and approval.
- In consultation with IEPA, the defendants will conduct community outreach activities in accordance with the community right-to-know provisions of the Illinois Environmental Protection Act.
- Reimburse the State of Illinois for all reasonable response and oversight costs incurred by the IEPA as a result of the oil leak.

A status hearing on the case is scheduled in Will County Circuit Court for Feb. 10, 2011, at 11 a.m.

Assistant Attorneys General Stephen Sylvester and Christopher Grant are handling the case for Madigan's Environmental Bureau.

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