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February 14, 2017

ATTORNEY GENERAL ANNOUNCES SETTLEMENT WITH BNSF RAILWAY FOR OIL SPILL CAUSED BY TRAIN DERAILMENT

Chicago — Attorney General Lisa Madigan announced a settlement with Delaware-based BNSF Railway Company (BNSF) following a train derailment that caused a crude oil spill near the city of Galena.

The settlement resolves environmental concerns that arose in 2015 when a BNSF train derailed, spilling a large amount of crude oil that ignited near Galena, Ill. Following the spill, Madigan's office obtained an agreed court order to require BNSF to clean up the crash site and monitor it for crude oil contamination.

To clean up the site, BNSF spent more than \$10.5 million, including reimbursements to state and local authorities for costs incurred. BNSF has continued to monitor the site, and to date, there is no evidence of groundwater contamination. In addition to funding the cleanup, BNSF spent approximately \$50,000 to repair unrelated storm damage to a nearby bicycle trail at the request of the city of Galena. Under the terms of the settlement entered in Jo Daviess County Circuit Court, BNSF will pay \$50,000 in civil penalties.

"As the result of our court actions to enforce the state's environmental laws, BNSF agreed to take immediate steps to clean up the oil and other damage caused by the train derailment and has monitored the site in the aftermath of the incident to assure no ground water contamination occurred," Madigan said.

In March 2015, a BNSF train derailed and released crude oil onto the ground which threatened to contaminate groundwater and nearby surface water. The train consisted of 105 tankers, 103 of which carried approximately 30,000 gallons of crude oil each. A number of the derailed cars caught fire, burning for three days until the fire burned itself out. The fire caused dense black smoke that emitted airborne particles.. The pollution and smoke forced some area residents to evacuate their homes. Several of the tankers ruptured and leaked an unknown amount of crude oil into the ground at the derailment site, which is adjacent to the Galena and Mississippi Rivers.

Assistant Attorney General Gerald Karr handled the case for Madigan's Environmental Bureau.

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