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Exxon knew waste was potentially hazardous, engineer testifies

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THIBODAUX, La. (AP) - Exxon Corp. was not aware that a century-old community with some 300 residents lived alongside a waste disposal site when it dumped oil field refuse there four years ago, a company employee testified.

But even if it had, Exxon still would have disposed of what it acknowledged was potentially hazardous waste at Campbell Wells Corp., the employee said.

"I don't recall being aware of how close residents were to the site at the time," Doug Callon, an Exxon engineer involved in regulatory compliance, said Tuesday. "Had I known whether residents were there or not, it would not have made a difference."

Callon was part of the Exxon team that made the decision to ship 80 truckloads of oil field waste from an Alabama site to Campbell Wells in March 1994.

Most of the residents of Grand Bois live within a half-mile of the waste facility. They are suing Exxon and Campbell Wells, saying the waste has damaged their health, causing chronic headaches, nosebleeds, rashes and other ailments.

The residents are seeking an undisclosed amount of money to compensate them for those health problems and for past and future medical expenses, and for emotional distress.

The trial, which resumes today, was expected to last three weeks.

Exxon attorneys did not get a chance to question Callon on Tuesday. An attorney for Grand Bois residents spent more than five hours questioning the engineer.

But Exxon attorneys said during opening statements Monday that the company followed the law when disposing of the waste. And the lawyers said residents' health problems are caused by other things, such as smoking, diabetes and heart disease.

In 1980, Congress granted petroleum exploration and production companies an exemption from the hazardous-waste disposal regulations that apply to most other industries. The exemption left the regulation of oil field waste to the states.

In Louisiana, where the petroleum industry employed 79,000 people last year, oil field waste has been defined as non-hazardous.

Callon testified Tuesday that the waste disposed of at Campbell Wells contained "potentially hazardous substances," including hydrogen sulfide and benzene, a known toxin. He described hydrogen sulfide as "the most toxic naturally occurring gas."

Exxon safety manuals require that protective gear, including breathing masks, be given to employees who may come into contact with the gas.

Callon said exposure to small amounts of hydrogen sulfide can cause eye irritations and respiratory problems, symptoms that Grand Bois residents say they have. At high levels, hydrogen sulfide can cause death, Callon said.

He said Exxon decided to ship the waste to Louisiana after Alabama regulators told the company in 1993 to shut down one of its oil field waste pits in Alabama.

Exxon tried to dispose of the waste at a facility in Alabama, but the facility would have needed a waiver to accept the waste because the benzene levels were too high, Callon said.

Later, Callon said Exxon gave Louisiana regulators outdated testing data, which showed that the waste shipped to Campbell Wells contained less benzene than it may have had.

He said regulators from Louisiana's Department of Natural Resources asked in July 1994 about benzene levels in the waste. Callon said he gave them a figure from 1993. He said he was unaware that Exxon had tested the waste that remained at the Alabama site in March 1994 and that it contained significantly more benzene - levels considered unsafe.

Callon said Exxon could have sent the waste to a hazardous waste disposal facility in Alabama, but that would have been expensive - \$100 a barrel. Exxon eventually dumped 5,600 barrels at Campbell Wells, classified as a non-hazardous waste site, at a cost of \$8 a barrel.

Callon said Exxon hired a consultant to inspect Campbell Wells to ensure that it was safe to dump the waste there. But Callon acknowledged the inspection report was inaccurate because it stated that a shipyard - not homes - was the closest thing to Campbell Wells.

Callon said complaints from residents about a foul odor began coming immediately after the waste was dumped. He said at the time, Exxon worried that residents might have been exposed to toxic substances.

The engineer also was questioned about a 1989 incident in which Exxon shipped oil field waste to Louisiana from another site in Alabama, this time to Morgan City. The waste was transported by barge, and the captain and a crew member were sickened by the waste, which tested positive for high levels of toxics, including benzene, Callon said.

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