



## **Katrina Devastates Oil-Contaminated Town**

MERAUX, La. (AP) - November 18, 2005 - Elizabeth Weaver clutches her face. Black oily mud cakes her white rubber boots, the tip of her walking cane is stained black, her home is contaminated - and her gut feeling is that it all could have been avoided.

A massive tank in the adjacent Murphy Oil Corp. refinery floated off its base and broke during Hurricane Katrina, spilling crude oil into about 1,700 homes. It's one of the worst residential oil spills in U.S. history and human error might be to blame.

South Louisiana is a landscape of tragedy, but the all-American neighborhoods in this oil spill zone stand out. Men in moon suits clean oil from canals and out of the ground. The smell of benzene lingers, headaches come easily. Homeowners hold their breathes and brave snakes and muskrats burrowed in the debris as they go about the sloppy work of retrieving mementoes.

While others in hurricane-hit communities are entertaining visions of rebuilding, the people who called this corner of St. Bernard Parish home wonder if this piece of earth will ever be repopulated.

"These poor people got double whammied," said Stuart Smith, a lawyer suing Murphy over the spill. "We think it will devastate the property market down there because of all the residuals in the soil. It's a mess."

Weaver is a 67-year-old administrative assistant at another refinery. The tragedy of her situation - first-time homeowner in July - sank in one recent afternoon, her first time back to her home. She was unable to contain her anger at Murphy.

"I think they did everything humanly possible they could do," Weaver said, "and they did a heck of a stinky job!"

In the storm's wake, 19 lawsuits were filed; they've been combined into one class-action suit claiming the tank broke because of negligence.

The question for victims of the spill is whether Murphy filled the tank that broke before the hurricane hit, a standard safety practice at refineries.

Oil refineries are not required by law to fill up their tanks, but the heavier the tank, the less of a chance it will float away. The government does not regulate spill prevention plans at refineries and the only mandate, U.S. Environmental Protection Agency officials said, is that a plan is written and approved by an engineer.

"You fill them up as much as you can to ensure the structural integrity and so they don't float away," said David McCollum, a spokesman for the CITGO oil company in Houston, which operates a refinery in Lake Charles.

Evidence is stacking up that something went awry at Murphy.

When Katrina hit, the Murphy tank contained 1.05 million gallons of oil, less than a tenth of its capacity, and all of that oil spilled out, according to Chief Paul Rhynard of the U.S. Coast Guard. He said the rest of the tank was not filled with water or any other liquid, as is sometimes done in anticipation of a storm.

Kenneth Henderson, a superintendent at Murphy and a St. Bernard Parish councilman, said the refinery's hurricane plan called for filling up 30 percent of the tank with gasoline. El Dorado, Ark.-based Murphy denies any wrongdoing and blames the disaster on an "act of God." Murphy refuses to comment on how much fuel was in the tank.

Rhynard said the Coast Guard has not started an investigation because its resources are still so stretched responding to dozens of oil spills caused by Katrina. The hurricane caused an estimated 9 million gallons of oil to leak into the environment, most of it spilling into unpopulated areas.

The spill at Murphy has become a hot button issue in this town loyal to the roughneck industry. With an ExxonMobil Corp. refinery located up the road, oil drives the economy.

Blaming the refinery comes hard to the people here.

"I think it's pretty cut and dry what happened," said Tony Ricky Melerine, a parish councilman. "The deal is, it's just like our levees: you can't build anything high enough to protect us against a storm like that."

That loyalty and lack of criticism is no surprise to environmentalists and oil industry critics who say oil companies have run roughshod over Louisiana, breaking its environment and taking advantage of poor communities.

"Without a doubt, people who are in a position to make laws and enforce laws in this state look at who's putting dinner on the table and they don't want to bite the hand that feeds them," said Bill Goodell, an environmental lawyer. "But the chickens are coming home to roost in this case."

In recent weeks, thousands of people have weighed their options. On the one hand, trial lawyers have aired commercials and posted signs urging residents to join class-action suits against Murphy; on the other, Murphy has set up claims offices and is telling people they'd do well to take money the company is offering for the spill, and give up their right to sue.

"Murphy's always been a good industrial neighbor," said Daniel Bourgeois, 55, whose home is in the epicenter of the spill. "The oil and gas industry has been good to me."

After all, his grandfather came to Louisiana in 1929 to work for Esso, the oil company, and his father was in the industry too. For his part, Bourgeois is on Murphy's action community panel.

"When I built my property in 1980, they were there," Bourgeois said. "They didn't build next to me, I built next to them. All I want is a fair settlement."

Bourgeois echoes the sentiment of many residents who are leery of trial lawyers.

"The lawyers make all the money," Raymond Womble, a retired Domino Sugar refinery worker, groused as he and his wife, Wanda, went about salvaging things from their home.

Environmental activist Wilma Subra, who's been studying the effects of the spill, wonders if the residents can be honest about their feelings. "It's a company town," she said. "You're hesitant to speak out because of fear of retaliation."

Lawyers for Murphy have said many residents are eager to settle so they can get money for a down payment on a new house and get their lives back on track. Lawyers suing the company say Murphy is taking advantage of people who are under a great amount of stress and can't make sound decisions.

Several residents said people who settle are getting about \$30,000 on average. Mindy West, a Murphy spokeswoman, said the company's offers are done on a case-by-case basis.

Weaver, the angry new homeowner, is more the exception than the rule here.

"I may not see the day the suit is settled," Weaver said. "But I'm not going to settle with the company for \$25,000-\$30,000."

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