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Bids solicited to clean up toxic site in Harvey

Family still awaiting cash from oil firm

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As he waits to receive a \$56 million judgment for cleanup of radioactive material at his family's Harvey property, retired state Judge Joseph Grefer solicited proposals Tuesday from companies to purge the 33-acre tract of the toxic matter.

Grefer said he wants to expedite the next stage of cleanup, which began at his family's expense in early 2004, more than three years after a New Orleans civil jury ordered ExxonMobil Corp. to pay the cost, plus \$1 billion in punitive damages, to Grefer and his kin.

A state appeals court in April upheld the verdict and cleanup compensation but whittled down the punitive payment to \$112 million, which an Exxon attorney then called "grossly disproportionate" to the cost to clean the land and the value of the property.

The Grefer family claimed in a 1997 suit that Exxon's offshore pipe-cleaning operation contaminated the land with radioactive oil-field waste.

"I am now 75 years old, and I have a brother and (two) sisters older than me," Grefer said Tuesday at a news conference. "What we'd love to do is see this property cleaned up while we're still alive. And at this point, it's a race."

Grefer's attorney, Stuart Smith, said his client's latest step to cleanse the tract comes on the heels of the 4th Circuit Court of Appeal's refusal in May to rehear Exxon's case.

In the ruling, the judges wrote that "Exxon showed no regard for . . . human safety. . . . (It) had even less concern for the property damage that it caused, thus further demonstrating the morally culpable nature of its conduct."

Smith said that with interest accruing, the total award could reach \$230 million by the time Exxon "writes a check." The corporation still may appeal to the Louisiana and U.S. supreme courts, he said.

The Grefers leased the land bounded by Paillet Street, Breaux Avenue, St. Joseph Lane and 16th Street for about 30 years to Intracoastal Tubular Services, or ITCO, which cleaned used oil-field pipe for Exxon at the site.

After learning in 1997 that the tract was contaminated, the family sued Exxon, ITCO and another company in Orleans Parish Civil District Court.

Exxon has claimed that the radiation was "naturally occurring radioactive material," that there was "no willful contamination" and that only a small portion of the site was tainted.

The Grefers, however, said Exxon knew about radiation on drilling pipes as early as 1981 and kept it quiet. The appeals court judges found that Exxon was aware of the contaminated equipment that ITCO cleaned.

Grefer set a Sept. 1 deadline for hazardous substance remediation companies to submit proposals to Radiation Technical Services, a Denham Springs firm that has managed cleanup efforts at the fenced-off site.

Andrew Gross, the company's director, said technicians so far have removed 2,000 cubic yards of waste, less than 2 percent of the estimated total. The selected firm would handle heavy-equipment operations and other tasks, including moving polluted soil to disposal yards in Louisiana and Washington state.

Grefer said he could not estimate the amount of money spent so far to purify the land his family has owned since 1875. "It's been exorbitant," he said.

The contamination has triggered lawsuits in Orleans Parish from former ITCO workers and local residents.