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GROUP SUES U.S. ARMY CORPS OF ENGINEERS FOR FAILING TO RELEASE DOCUMENTS RELATING TO TAR SANDS PIPELINE ACROSS MISSOURI

On behalf of the Missouri Coalition for the Environment, Great Rivers Environmental Law Center filed suit in federal district court in Washington, D.C., on Friday, August 16, 2013, against the U.S. Army Corps of Engineers over the Corps' failure to release any information on the proposed Flanagan South pipeline which will carry diluted bitumen, or "dilbit," across the entire state of Missouri.

The Missouri Coalition for the Environment ("MCE") is opposed to the pipeline because it threatens the safety and quality of Missouri's waters. The Flanagan South is one segment of a pipeline project by the Canadian company Enbridge to carry dilbit from Canada to the Texas Gulf Coast for refining and export. Dilbit is bitumen, an asphalt-like substance from the Alberta tar sands, which is diluted with chemicals to enable it to flow through a pipeline. It is not oil but is abrasive of pipelines and harder to clean up when it spills because it is thick, tarry, and sinks in water. A major spill from an Enbridge pipeline in Michigan in 2010 in the Kalamazoo River has still not been fully cleaned up. More recently there was a dilbit spill from an ExxonMobil pipeline in Mayflower, Arkansas, which contaminated a neighborhood.

MCE filed a request for documents from the Corps under the Freedom of Information Act ("FOIA") in January. The Corps has released nothing. "It took them five months even to give us an excuse," said Henry Robertson, Great Rivers' attorney for MCE. "I have to wonder why the Corps is helping Enbridge keep this thing secret, making it impossible for people to know about a pipeline that may spill this stuff in their backyards." Last week Enbridge started construction after three of the four Corps districts involved gave the go-ahead.

"If the Corps had nothing to hide about the project it would have released the documents back in January," said Heather Navarro, Executive Director of MCE. "Missourians will be the ones responding to an emergency; we will be the ones whose property is contaminated if there's a rupture. We have a right to know about a risky project of this size."

Great Rivers is a nonprofit public interest environmental law firm in St. Louis that provides free and reduced-fee legal services to those working to protect the environment and public health. Its web address is: www.greatriverslaw.org.

The Missouri Coalition for the Environment, a nonprofit, nonpartisan, 501(c)(3) state-level conservation organization, is a force for clean air, clean water and clean energy in Missouri. Since 1969 it has educated and activated Missourians to protect the land we all love. Its web address is: www.moenviro.org.