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Hurricane Sandy Causes Diesel Tank Damage, Oil Spill In NJ

By **Sean McLernon**

Law360, New York (November 02, 2012, 7:09 PM ET) -- Motiva Enterprises LLC diesel tanks containing more than 650,000 gallons of oil were damaged during Hurricane Sandy on Monday and released some of their contents into waters between New Jersey and Staten Island, New York, but responders have largely contained the spill, the U.S. Coast Guard said Thursday.

Motiva, a joint venture between Shell Oil Co. and the Saudi Arabian national oil and natural gas company Saudi Aramco, said that two of its four diesel oil storage tanks at a New Jersey facility were damaged during a storm surge and released some of their contents into the water. Each tank held approximately 336,000 gallons of oil.

The Coast Guard, which is overseeing cleanup of the spill along with the New Jersey Department of Environmental Protection, the National Oceanic and Atmospheric Administration and local officials, said that the amount of oil released remains unknown, but crews have collected 151,200 gallons of oily water mixture as of Thursday afternoon.

Responders continue to contain and recover the fuel around the storage tanks in Woodbridge Creek, Smith's Creek and the Motiva Terminal docks on the Arthur Kill Channel, using vacuum trucks to pump the product and water from the secondary containment area into an onsite storage tank, according to the Coast Guard.

New Jersey Department of Environmental Protection spokesman Lawrence Hajna said that the damage has been minimal, with only a handful of birds impacted. The agency currently does not have plans to pursue any action against Motiva, according to Hajna.

"There was a natural disaster," Hajna said. "A lot of things happened that were far outside of anyone's control."

Both the NJDEP and the Coast Guard have praised Motiva's progress in addressing the spill, which included deploying containment booms to contain pockets of spilled oil and protect sensitive areas. The Coast Guard found no sheen or oil in the navigable channel near the terminal nor in New York waters on Thursday.

The Coast Guard also reported normal readings from its air monitoring tests around Smith's Creek, with a complete absence of volatile organic compounds as well as zero levels of hydrogen sulfide and carbon monoxide.

"Motiva has appropriately taken responsibility for the incident and has fully implemented their facility response plan to include a formal incident command system being established," the Coast Guard said in a statement.

The Coast Guard said it will continue to operate flights over the area to monitor the status of the cleanup and conduct assessments with a small boat up and down the Arthur Kill channel to find any more recoverable oil.

Four oiled birds were found during the response efforts, and the wildlife rescue organization Tri-State Bird Rescue and Research Inc. was notified, according to the Coast Guard.

--Editing by Katherine Rautenberg.

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