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Exxon Mobil Sued Over Climate Change Cover-Up

The lawsuit alleges the oil giant's terminal near Boston continues to pollute rivers and communities.

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The environmental advocacy group [Conservation Law Foundation](#) has made good on its [threat to sue Exxon Mobil Corp.](#), filing what it says is the first U.S. legal action aimed at holding the oil giant accountable for its well-documented climate change cover-up.

The [70-page suit](#), filed Thursday in U.S. District Court in Boston, alleges Exxon Mobil's bulk storage and distribution terminal in Everett, Massachusetts, near Boston Harbor, continues to pollute the Island End and Mystic rivers and threatens nearby communities. The complaint also accuses the company of failing to fortify the facility to withstand climate change, including extreme weather events and rising sea levels.

The lawsuit, which seeks unspecified civil penalties and injunctive relief, comes as Exxon Mobil faces numerous investigations into whether the company lied to investors and committed fraud by covering up the risks of climate change for decades. The attorneys general of [New York](#) and [Massachusetts](#) are probing the company, and the Securities and Exchange Commission [has begun an investigation](#) into how Exxon Mobil values future projects amid climate change and plunging oil prices.

["Communities were put in danger and remain in danger](#), all to cut costs for one of the most profitable corporations in the world," Bradley Campbell, president of Boston-based Conservation Law Foundation, said in a statement. "It's time to make Exxon answer for decades of false statements to the public and to regulators and ensure that its Everett facility meets its legal obligation to protect thousands of people and the Boston Harbor estuary from toxic water pollution."

In 2009, a subsidiary of Exxon Mobil was [ordered to pay more than \\$6.1](#)



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[million](#) for allowing 15,000 gallons of diesel fuel to spill into the Mystic River. The lawsuit alleges the company continues to violate the Clean Water Act and other federal laws by discharging toxic pollutants.



BOSTON GLOBE VIA GETTY IMAGES

Chelsea oil tanks on the right, with ships on the docks in Everett, upper right. The Tobin Bridge spans the river and Charlestown, Massport on left.

Exxon Mobil spokesman Todd Spitler said the lawsuit is “yet another attempt to use the courts to promote a political agenda.” He said the company will vigorously fight it.

“This lawsuit is based on discredited and inaccurate claims by activists about Exxon Mobil’s nearly 40-year history of support for climate research that was conducted publicly in conjunction with the Department of Energy, academics and the UN Intergovernmental Panel on Climate Change,” Spitler told The Huffington Post in an email. “To suggest that we had reached definitive conclusions, decades before the world’s experts and while climate science was in an early stage of development, is not credible.”

Reports last year by [InsideClimate News](#) and the [Los Angeles Times](#) found Exxon executives were aware of the climate risks associated with carbon dioxide emissions in the 1980s, but funded research to cover up those risks and block solutions. In a [more recent investigation](#), the Washington-based [Center for International Environmental Law](#) uncovered documents that show the oil industry, including Humble Oil (now Exxon Mobil), was on notice about the potential role of fossil fuels in CO2 emissions [no later than 1957](#) and was “[shaping science to shape public opinion](#)” even earlier, in the 1940s.

Though the lawsuit accuses Exxon Mobil of failing to fortify its facility in Everett, oil companies, [including Exxon Mobil](#), have redesigned oil and gas rigs in the face of climate change.

As early as the 1980s, oil companies were [beginning to invest in taller oil rigs](#) that could withstand rising sea levels and the [impacts of hurricanes](#),

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documents uncovered in the Center for International Environmental Law investigation show. Carroll Muffett, the center's president, called it "an example of the profound distinction of how these companies were [protecting their own interests](#)" and not the public's.

The Conservation Law Foundation lawsuit says Exxon Mobil has been well aware of the impacts and risks of climate change.

"Despite knowing of the certainty of rising temperatures and rising sea levels since as early as the 1970s, Exxon Mobil did not use its findings to prepare its Everett Terminal for such risks," the complaint says.



The lawsuit includes projections showing the Everett facility would be inundated with water in the event of a hurricane or climate-driven sea level rise. Either scenario, the suit says, could result in oil and other pollutants being discharged.

Conservation Law Foundation's trial team will include attorney Allan Kanner, whose firm represented plaintiffs in BP's Deepwater Horizon spill in 2010.

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