

# The ExxonMobil Tar Sands Oil Spill in Arkansas. Media Coverup

By [William Boardman](#)

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*As of April 11, ExxonMobil is still working to control all news from the Mayflower tar sands oil spill. Independent reporting is difficult if not impossible.*

The first "Tar Sands Oil Arkansas" [1]([on April 7](#))[1] discussed a number of questions raised by the ExxonMobil Pegasus pipeline that burst in Mayflower, Arkansas, on March 29, pumping tar sands oil - technically Wabasca Heavy crude oil - into a residential neighborhood for almost an hour.

Among the questions touched on in that piece were protecting the pipeline from terrorists, residents suing ExxonMobil in federal court, the nature of Wabasca Heavy tar sands oil, some effects of the spill, and the "martial law" atmosphere described by reporters trying to look at the cleanup site.

As the second week of toxic air in Mayflower begins, here are some more of the questions it raises and some of the current answers, subject to future refinement. A reader writes:

What is the point of origin of the leak? In front of whose house? Why no image of the hole in the ground or in the pipe? Was it corrosion, a weld failure, sabotage by cutting or explosives, or WHAT? Do we have to wait for NTSB for answers? Is Exxon Mobil and their execs too big to jail?

The point of origin appears to be in the woods, behind the houses, and underground. The absence of images is unexplained.

Corrosion or weld failure seem to be two likely possibilities for the cause of the leak.

As reported so far, the spill started quietly, with no one aware of the moment it started. It's not clear how long it took for someone to become aware, but not too long, presumably.

The circumstances known so far tend to make sabotage (or inadvertence) by cutting, explosion, backhoe, bulldozer, or other means seem unlikely.

Several of the press releases issued by the Mayflower Incident Unified Command Joint Information Center over the past several days conclude with the statement: "The cause of the spill is under investigation."

Since ExxonMobil and its employees have not yet been convicted of committing a crime, it seems premature to consider jailing them.

Why were the pipeline and the residential subdivision built so close together?

Close is a relative term. There's no suggestion so far that the subdivision was built illegally, or didn't have the right permits, or interfered with the pipeline right of way, or anything like that.

Interestingly, though, the Arkansas Times interviewed a former ExxonMobil pipeline worker who raised questions about the company's commitment to safety.

The report continued:

"He raised, too, a question mentioned here yesterday by another pipeline engineer about the wisdom of building new subdivisions over existing pipelines, as happened in Mayflower.

"Considering the potential stress of building on top of a pipeline and the high pressure used when transporting heavy crude,... the developer of Northwoods should have worked with Exxon to reroute Pegasus around the neighborhood.

"Other options, he said, include replacing the section of the pipeline with newer, stronger steel or burying it deeper under the ground,... But pipeline companies have little incentive to take costly preventative action.

"'Even if they get a fine the fine will be a small fraction of the cost to correct a dangerous condition,' he said."

Who is the Mayflower Incident Unified Command?

The command's letterhead includes the logos for ExxonMobil, Faulkner County, the U.S. Environmental Protection Service (EPA), and the City of Mayflower, Arkansas.

It's been hard for reporters on the scene to learn much more. Even CBS News had to stay outside the yellow tape.

Hasn't ExxonMobil been forthcoming with information and documentation relating to the Pegasus pipeline rupture?

Well, no, not really.

As a result, Arkansas Attorney General Dustin McDaniel has issued a subpoena for relevant documents from ExxonMobil. The deadline for complying with the subpoena is April 10, almost two weeks after the spill. ExxonMobil has said it will comply.

Why isn't ExxonMobil more open, since we give them subsidies and tax breaks worth billions of dollars every year?

Don't start with that. This is about Mayflower, Arkansas. You can read about the tax shelter and subsidy thing somewhere else, [2][such as American Progress](#)[2].

But ExxonMobil does have to pay into the federally mandated fund for oil spill cleanups, right?

Yes and no. It's the "no" part that matters here.

With the Pegasus pipeline pumping Wabasca Heavy tar sands oil, ExxonMobil is not required to pay anything into the oil spill cleanup fund. Not a penny. Why? Because tar sands oil, according to the law written by Congress and interpreted by our tax collectors, is not oil. So its pumpers are exempt from contributing to the cleanup fund.

If it was more traditional lighter crude oil in the pipeline, someone would be paying 8 cents per barrel into the oil-spill liability trust fund.

Isn't tar sands oil like Wabasca Heavy more difficult and more expensive to clean up than lighter traditional oils?

Yes.

Doesn't that make a difference?

Apparently not to the Internal Revenue Service (IRS), which administers the cleanup fund. In a 2011 decision, the IRS exempted tar sands oil, diluted bitumen, dilbit from the 8 cents tax per barrel (42 gallons).

Why doesn't Congress do something about that?

Seriously?

Seriously.

Congressman Ed Markey, D-Mass, has tried.

After a week, has the tar sands oil been contained?

Probably not.

Arkansas Online reported on March 29, the day of the spill, without indicating the source of the information, that *"Oil that spilled into waterways from a ruptured pipeline in Mayflower has been contained."*

The report continued:

"Faulkner County Judge Allen Dodson said blockades have been set up at two different locations along a waterway that flows into Lake Conway. Those blockades are preventing the contaminated water from passing...."

"A dam made of dirt, wood and other building materials has been erected in the initial ditch that contains a majority of the oil, with an additional blockade set up in two culverts connected to coves that allow water into Lake Conway...."

"The obstructions will prevent any oil from passing through for an extended period of time, possibly days, Dodson added."

If the oil was contained the first day, what's all the fuss about?

Early reports appear to have been over-optimistic.

There are more than 100 photographs [3][on the website](#)[3] for the EPA On Site Coordinator,

from the period March 29-April 6. They show that the oil got into active waterways almost immediately on March 29. And at least some of the oil was also flowing on the ground and into the street, ending up going down a storm drain.

EPA image #78 shows “Sorberent boom in place at discharge point from neighborhood underneath Main Street” – four days after the spill, on April 2.

EPA image #90 shows “Containment boom installed in Lake Conway” on April 2.

Has tar sands oil reached Lake Conway or not?

ExxonMobil reportedly says it has not.

[Grist.org](#) reporter Suzi Parker says that Arkansas Attorney General McDaniel “*reported Friday morning [April 5] that there is oil in Lake Conway despite ExxonMobil’s assurances to the contrary.*”

The [4][Grist report](#)[4] adds:

“Great efforts have been taken to limit the spread of the oil to only one area of Lake Conway, which is referred to as the Cove, but the Cove and Lake Conway are hydrologically connected and are therefore one body of water,” Aaron Sadler, spokesman for McDaniel, told Grist.

“Meanwhile, access to the site continues to be tightly policed. According to InsideClimate, [ExxonMobil threatened reporter Lisa Song with arrest](#) on Wednesday when she entered the command center looking for government officials.

So is it like martial law or a police state in Mayflower, or are these just more whiners and media frenzy whippers?

Hard to tell. Of course it could be both.

The restricted area is considerably smaller than the no-fly zone’s 78 square miles.

It’s not clear what happened to the press conference that was announced for April 6.

Here’s the way the Arkansas Times saw it as of April 6:

“Public accountability remains a pressing issue. The Faulkner County judge disclaimed responsibility in refusing an Arkansas Democrat-Gazette FOI request for county records related to cleanup activities. This is on top of police-state actions by Faulkner County officials to let Exxon Mobil set rules on public access to affected areas.

“The secrecy is wrong. The delegation of authority to a private company is wrong. But Faulkner County officials are deeply in the thrall of the energy industry thanks to the Fayetteville shale play. Public interest takes a backseat.

But didn’t Exxon Mobil just win a big time safety award?

Yes, indeed, it did.

The National Safety Council announced on April 3 that ExxonMobil had won the 2013 Green Cross for Safety, awarded at the annual fundraising dinner in Houston that night. The award was for ExxonMobile's "leadership and comprehensive commitment to safety excellence."

According to the National Safety Council [5][press release](#)[5]:

"ExxonMobil distinguished itself over a period of years for outstanding achievements in workplace safety, community service, environmental stewardship and responsible citizenship. It believes the best way to meet this commitment is through a capable, committed workforce as well as practices designed to enable safe, secure and environmentally responsible operations. ExxonMobil accomplishes this through clearly defined policies and practices, and with rigorously applied management systems designed to deliver expected results.

"It remains steadfast in its goal that 'Nobody Gets Hurt.'

"Past recipients of the Green Cross for Safety medal include the Dow Chemical Company, Schneider Electric North America, Exelon Nuclear, FirstGroup, Delta Air Lines, UPS, DuPont, Liberty Mutual Group, Chrysler Group of DaimlerChrysler, Kenny Construction Company, Ryder System Inc., Intel Corporation and AK Steel."

#### Notes

[1] <http://readersupportednews.org/opinion2/271-38/16841-tar-sands-oil-arkansas>

[2]

<http://www.americanprogress.org/issues/green/news/2011/05/11/9625/exxon-mobil-dodges-the-tax-man/>

[3] [http://epaossc.org/site/site\\_profile.aspx?site\\_id=8502](http://epaossc.org/site/site_profile.aspx?site_id=8502)

[4] <http://grist.org/climate-energy/arkansas-town-in-lockdown-after-oil-spill-nightmare/>

[5] <http://www.nsc.org/Pages/NSC-honors-Exxon-Mobil-Corporation-with-the-Green-Cross-for-Safe>

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Articles by: [William Boardman](#)

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