

# Cleanup of 2006 ND Saltwater Spill Still Ongoing

JAMES MacPHERSON, Associated Press

BISMARCK, N.D. (AP) — It's been called the worst environmental disaster in state history: A broken pipeline belched more than a million gallons of saltwater into a northwestern North Dakota creek, aquifer and pond. Yet nearly eight years later, cleanup efforts are ongoing — with no end in sight, state health officials say.

The ruptured pipeline allowed briny water to spew unnoticed for weeks into a tributary of the Yellowstone River near Alexander and caused a massive die-off of fish, turtles and plants. Briny water is an unwanted byproduct of oil and natural gas drilling that is 20 times saltier than ocean water.

Since the spill, critics say, the state hasn't gone far enough to ensure that such catastrophic spills are avoided.

"It's hard to get a bill through that could impact oil production," said Rep. Dick Anderson, a Willow City Republican whose proposed legislation to mandate flow meters and cutoff switches on such lines was overwhelmingly rejected this year in the Legislature.

A worker discovered the spill by accident in January 2006 along an 18-mile-long, 3-inch underground plastic pipeline. The saltwater had been flowing into Charbonneau Creek.

The pipeline's owner, Oklahoma-based Zenergy Inc., has excavated tons of salt-tainted soil and hauled millions of gallons of briny water from the area, but the cleanup has proved tougher than initially thought, said Dennis Fewless, director of water quality for the North Dakota Health Department.

State health officials say Charbonneau Creek is as clean now as it was before the spill and has been repopulated with plants and animals. But a pond and underground aquifer remain tainted with saltwater, despite a continuous cleanup effort by the company, Fewless said.

"We all thought it would be done by now," Fewless said. "(Zenergy) has been very good and very diligent but they're still into it for the long haul."

Zenergy officials have not returned repeated telephone calls from The Associated Press over the years, including this week.

The state reached a \$123,300 settlement with Zenergy in 2007 that included a civil penalty of \$70,000 for violating state laws and regulations and \$53,300 to cover the cost of the state's investigation. Two Alexander ranchers who sued Zenergy in federal court for damages caused by the spill settled out of court that same year, though terms of the settlement were not disclosed.

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State officials said Zenergy has spent more than \$5 million so far in its cleanup effort.

Zenergy's spill came during the infancy of North Dakota's oil boom. Today, a network of saltwater pipelines extend to hundreds of disposal wells in western North Dakota, where the briny water is pumped underground for permanent storage.

"Right now, there is a spider web of lines crisscrossing each other out there," said Myron Hanson, a Souris farmer and chairman of the Northwest Landowners Association. "The potential for something way bigger exists than what happened at Charbonneau Creek. Way bigger."

The association has pushed for more stringent saltwater disposal regulations, and Hanson stressed how harmful a single spill can be.

"Nobody likes saltwater. It's extremely toxic to farm and range land. It ruins it," said Hanson, who grows wheat, canola, soybeans, flax and barley at his farm. "The state is benefiting hugely from this oil activity but it's not looking very far down the road to make oil companies toe the line and make them do it right."

Lynn Helms, director of the state Department of Mineral Resources, said 42 of the nearly 400 active saltwater disposal lines — including Zenergy's — require metering, a determination that is made based on the pipeline's proximity to environmentally sensitive areas or from a company's past careless operating practices.

Helms said such metering, however, did not prevent a 2011 spill in which an estimated 332,000 gallons of the salty water leaked from a pipeline near Mohall, contaminating about 25 acres of cropland and wetlands. Flow from that ruptured pipeline was "pinhole" in size and not strong enough to be detected from metering that was installed on the line, he said.

The pipeline, owned by Plano, Texas-based Petro Harvester Operating Co, now is required to be pressure tested annually for leaks, as are about a dozen others in the state, Helms said.

Petro Harvester already has spent about \$2 million on its cleanup, which could take a decade to finish, Helms said. Fines and other sanctions against the company are pending, state officials said.

North Dakota produced 25.5 million barrels of briny water last year, records show. A barrel is 42 gallons.

There were 141 pipeline leaks reported in North Dakota last year, 99 of which spilled about 8,000 barrels of the saltwater, Helms said. About 6,150 barrels of the spilled saltwater was recovered, he said.

Helms said 28 of the spills in 2012 may have been prevented if the pipelines were

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equipped with metering and had been required to be pressure tested.

Anderson, the Republican lawmaker and farmer from Willow City, said his constituents increasingly worry about saltwater spills.

"People are getting very vocal and think the best solution is to prevent spills to begin with," said Anderson, who hasn't given up on requiring additional monitoring for saltwater pipelines. Convincing his fellow representatives will be tough; his bill failed 86-4 in the last Legislative session.

"My bill is sure to come up again next session," Anderson said. "But it will probably end up with the same fate."

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