

The Honorable Max Baucus
United States Senate
511 Hart Senate Office Building
Washington, D.C. 20510-2602

The Honorable Jon Tester
Office of Senator Jon Tester
706 Hart Senate Office Building
Washington, D.C. 20510-2604

The Honorable Steve Daines
United States House of Representatives
206 Cannon House Office Building
Washington, D.C. 20515-2601

Re: Exxon fine levied by the Pipeline and Hazardous Materials Safety Administration

To the Honorable Senator Baucus, Senator Tester and Representative Daines,

Almost two years ago, an Exxon pipeline ruptured spewing an estimated 63,000 gallons of crude oil into the Yellowstone River, fouling over 70 miles of the river system. On May 13, 2013, Exxon Mobil Corporation challenged the \$1.7 million dollar proposed fine by federal regulators from the Pipeline and Hazardous Materials Safety Administration (PHMSA).

We are asking you to support PHMSA's fine against Exxon Mobil Corporation. Exxon failed to address known seasonal flooding risks to the safety of its pipeline system, including excessive river scour and erosion, and to implement measures that would have mitigated the spill into the Yellowstone River putting thousands of people in danger and damaging the ecosystem. In addition, Exxon failed to establish written procedures for its staff to take prompt and effective action to protect the Silvertip pipeline from floods and other natural disasters, and to minimize the volume of oil released from any section along the pipeline's system.

Everyone agrees that it is in the best interest of all Montanans and the American public to ensure that our pipeline systems are as safe as possible. Operators, in this case Exxon, must be held accountable if they do not adhere to federal safety standards. We believe that PHMSA's proposed fine in the case of the Yellowstone River spill is appropriate, defensible and necessary.

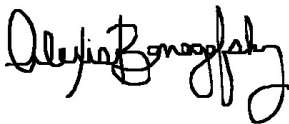
As you know, The Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, signed into law last year by President Obama, doubled the maximum civil penalty amount PHMSA can issue to pipeline operators for violating pipeline safety regulations from \$100,000 to \$200,000 for each violation, and from \$1,000,000 to \$2,000,000 for a related series of violations. The fine imposed by PHMSA, easily falls within these regulations and justifications for the fines are comprehensive.

Exxon's argument that they took appropriate precautions do not mesh with PHMSA's findings in their meticulous and thorough investigation into the events leading up to the pipeline rupture and its immediate aftermath including the fact that Exxon did not close an upstream safety valve which could have significantly reduced the size of the spill.

On July 17, a hearing will be held in Washington D.C. with PHMSA to address Exxon's protests of the fine. We are asking you to support PHMSA's fine amount and hold Exxon accountable for the devastating pipeline spill on the Yellowstone River.

If you have any questions, please feel free to contact Alexis Bonogofsky with the National Wildlife Federation at 406-698-4720 or any of the organizations listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexis Bonogofsky". The signature is fluid and cursive, with the first name "Alexis" written in a larger, more prominent script than the last name "Bonogofsky".

National Wildlife Federation
2020 Tired Man Road
Billings, MT 59101
406-698-4720

Montana Conservation Voters – Yellowstone Valley Chapter
P.O. Box 63
Billings, MT 59103
406-254-1593

Northern Plains Resource Council
220 South 27th Street, Suite A
Billings, MT 59101
406-248-1154

Yellowstone Valley Citizen's Council
220 South 27th Street, Suite A
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