

# Pipeline company sues over cracks from Wyoming coal mine

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TIM KUPSICK Star-Tribune file  
A loader fills a haul truck full of coal and rock in one of the pits at the Chevron mine near Kemmerer in May. Northwest Pipeline is suing the Chevron Mining Company, claiming that the ground underneath their pipeline is moving due to the coal company's carelessness.

A Utah company is suing Chevron in U.S. District Court in Wyoming for the cost of rerouting two natural gas pipelines around deep fissures from Chevron's coal mine near Kemmerer.

Utah-based Northwest Pipeline GP claims Chevron Mining Inc. should pay at least \$20 million to cover the cost of protecting and rerouting nearby interstate pipelines put in danger when Chevron's mining broke open large cracks in the ground underneath the lines.

"Chevron has conducted mining operations so as to cause massive shifts in the earth adjacent to Northwest's pipeline system," wrote Northwest in its complaint. "This earth movement has invaded the easement where the pipeline is located, causing ground cracks and otherwise threatening the pipeline system's integrity."

In court filings, Northwest says Chevron told the company in July that intensified mining on the mine's north wall was forcing open deepening cracks, stressing the

pipelines, and fatally threatening them. A Chevron consultant recommended Northwest move its pipelines by September to avoid further risk.

"Northwest undertook operations to relieve the stress, but it became increasingly concerned that unless the pipeline system was shut down, by-passed, and relocated, complete failure of the system would be imminent," the company said in its complaint.

Northwest said in July the company relieved the stress on the lines, built an emergency temporary pipeline, and sought the land rights and permits it needed to build a safer, permanent route for the 26-inch and 30-inch pipelines about a mile from the mine.

Northwest demanded that Chevron pay the costs for monitoring and dealing with stress on the pipeline system and relocating the two lines away from the mine, as well as court costs, the company told the court, but "Chevron refused to do so."

Northwest claims Chevron also caused U.S. Highway 30 to buckle and crack, forcing state officials to reroute the road, although in the court filing it referred to the road as a state highway with the same number.

Chevron spokeswoman Margaret Lejuste said the company wouldn't comment publicly on the suit, but pointed out that Chevron "as a precaution" stopped mining in the area while Williams worked on its pipelines.

"Although we believe excellent lines of communication were established and we basically were in agreement upon work and safety processes, Northwest Pipeline GP has decided to file the lawsuit," she wrote in an email to the Star-Tribune.

John Eddins, district engineer in the area for the Wyoming Department of Transportation, said damage to the highway was first brought to the department's attention in May or June.

A 300-foot section of the road had sunk somewhat, causing what Eddings called only minor damage.

A one-inch pavement overlay last summer fixed the road, which Eddings said isn't scheduled for rerouting, as Northwest claimed in its court filing.

"We couldn't directly relate it to anything the mine had done," he said.

A spokesman for Westmoreland Coal Co. said the company had no comment on the suit. Englewood, Colo.-based Westmoreland is in talks to buy mine from Chevron, which is exiting the coal mining business, for \$193 million in cash and assumed liability. That deal is scheduled to close Tuesday.