

NEW HAMPSHIRE

**Department of Justice**  
Office of the Attorney General

---

News Release

**For Immediate Release**

November 8, 2012

**Contact:**

Mary Maloney, Assistant Attorney General  
(603) 271-3679

**Attorney General Declares Landmark \$35M Settlement in Groundwater Contamination Lawsuit**

Attorney General Michael A. Delaney announces that Shell Oil Company and Sunoco, Inc. will pay \$35M to settle pending claims against the companies in the case of State of New Hampshire v. Hess, et al. The State initiated the lawsuit in 2003 against refiners and manufacturers of gasoline containing methyl tertiary butyl ether ("MTBE") who supplied New Hampshire with MTBE gasoline.

The lawsuit, filed in Merrimack County Superior Court, alleges that a number of major oil companies, including the settling defendants, added MTBE to gasoline sold in New Hampshire knowing that it would contaminate ground water supplies. The State contends that the defendants knew they were supplying a product with unique hazards; specifically, that MTBE travels farther and is more difficult to clean up than other contaminants. The State is seeking damages to perform comprehensive investigation and remediation of MTBE contamination sites.

Trial against the remaining defendants is scheduled to begin in Concord on January 7, 2013. The remaining defendants are Exxon/Mobil Corporation, Irving Oil Co., Citgo Petroleum, ConocoPhillips Co., and Vitol S.A.

Attorney General Delaney stated: "We must ensure that our public waters remain clean and safe for the benefit of all our citizens. My office will continue to hold oil companies responsible for their role in causing groundwater contamination in this state." He further stated, "We have reached a \$35M settlement with Shell and Sunoco. This is a substantial recovery that will be used to clean up contaminated groundwaters throughout New Hampshire."

New Hampshire Department of Justice | 33 Capitol Street | Concord, NH | 03301  
Telephone: 603-271-3658