

## **Sterling Sugars, Inc. v. BP American Production Company, et al.**

Sterling Sugars, Inc. learned that a tract of land of considerable size could not produce merchantable sugar cane because the area had formerly been an unlined oilfield waste holding pit. It was determined that the hydrocarbons placed in the pit had penetrated the soil beneath the pit for several feet.

A sister corporation, Raceland Raw Sugar, L.L.C., also learned that an injection well on its property had been leaking for several years, thereby causing damages to the property and to an aquifer beneath the property.

Jones Swanson was employed to investigate the situation. It revealed that the injection well was indeed leaking at a depth of approximately 200 feet. Notwithstanding the leak, the operators continued to pump salt-water into the damaged salt-water injection well, thereby continuing to cause damage to the surface of the property as the salt-water migrated through the leak in the pipe to the surface.

After extensive discovery showing defendants' longstanding knowledge of the defective injection well and the continued use of the well notwithstanding the knowledge of the defect, the defendants settled the case before trial and agreed to conduct environmental remediation.