



Oil spill victims file class-action lawsuit

Sarah Lambert • *The Enquirer* • August 1, 2010

Gloria Volstromer went to a hospital emergency room Saturday afternoon with a rash, a headache and an upset stomach -- all symptoms of overexposure to benzene.

The volatile organic compound has been found at unsafe levels along the Kalamazoo River, where the Volstromers live, after a ruptured pipe spewed about 1 million gallons of oil into it last week.

Now, Gloria and her husband Eugene are suing Enbridge Inc., the company responsible for the spill. They are plaintiffs in a federal class-action lawsuit filed Friday on behalf of residents affected by the spill.

"This is just an outrage at this point," said lawyer Liz Thomson of Hertz-Schram P.C. in Bloomfield Hills. Thomson is one of two lawyers working the case. "People's very basic needs are not being met: fresh air and clean water."

On Monday, the Volstromers' back yard on G Drive North, along the river southeast of Battle Creek, was flooded to the back porch after heavy rains the week before the spill.

"When the water recedes, it's never normally like this," Eugene Volstromer said, pointing toward the plane of swampy, black grass on his property.

Volstromer said he wasn't sure what it would take to get his property back to the way it was before the spill. But the lawsuit is about more than just restoring the river banks.

"In addition to just getting back to where they were, people should be compensated for the interference...

Enbridge President and Chief Executive Officer Patrick Daniel said Saturday that he had not heard of the lawsuit and could not comment on it. But the company has promised to clean up all traces of the mess.

"Companies are motivated by dollars," Thomson said. "They're still a business. Although they claim at this point that that's what they're going to do, what's really done is not always what needs to be done."

After Enbridge is served with the Western District Court lawsuit, it will have 30 days to respond to the claim. Then Thomson and her partner will begin gathering material and testimony for the case.

Residents who are interested in learning more about the lawsuit or having an active role in it can attend a public meeting at 6 p.m. Thursday at the Veterans of Foreign Wars Hall at 800 Michigan Ave. in Marshall. In the mean time, Volstromer will take his wife away from home, somewhere that won't make her sick.

"I couldn't come back here with her," he said. "It's a slimy mess."

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The view Saturday from the deck of the Volstromer residence on G Drive North, showing the still flooded back yard and the Kalamazoo River. The Volstromers are plaintiffs in a class action lawsuit against Enbridge. (John Grap/The Enquirer)

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