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# Judge Considers Exxon Valdez Reopener Clause

By [The Associated Press](#) | November 16, 2011 - 5:59 pm

A federal judge is considering whether the state of Alaska should be allowed to collect additional money for unforeseen damages from the Exxon Valdez oil spill.

Arguments were heard Tuesday over the so-called reopener clause in the billion-dollar settlement over the 1989 spill.

That settlement capped reopener damages at \$100 million. The state has asked for \$93 million.

Arguments centered mainly on the distinction between cleanup and restoration. Exxon Mobil Corporation argued the state's request was for cleanup and that, under terms of the 1991 agreement, it's not liable for cleanup anymore. Attorneys for the state and federal governments said Exxon Mobil's protection from liability for cleanup doesn't extend to unforeseen damages.

U.S. District Judge H. Russel Holland took the matter under advisement.

VmP