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## Imperial Oil wants judge to modify or dissolve order t megaloads movement in Montana

THE ASSOCIATED PRESS

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MISSOULA, Mont. — Imperial Oil of Canada is asking a Montana judge to dissolve or modify his order that effectively stopped huge loads of oilfield equipment from travelling along two-lane roads in Montana.

District Judge Ray Dayton, of Anaconda, is scheduled to hear arguments Thursday in Missoula, the Missoulian (<http://bit.ly/noIhRP>) reported Tuesday.

Dayton sided with Missoula County and three environmental groups in May in ordering a temporary injunction preventing the Montana Department of Transportation from issuing any more permits for pullouts along the route. Dayton said the agency didn't seem to adequately consider the impact of new turnouts along the route and the environmental assessment wasn't clear on how the agency concluded an interstate route wasn't feasible.

Imperial, a Canadian subsidiary of Exxon Mobil Corp., called Dayton's ruling unprecedented.

"There is no reported case in Montana of an injunction of such breadth and scope with respect to the use of a public highway," Imperial Oil argued. It said the injunction had already cost the company millions of dollars because it had to disassemble 33 modules at the Port of Lewiston so they could fit on interstate routes.

Imperial also argued that Dayton relied on evidence introduced by the plaintiffs that they did not bring up in court briefs, including the possibility that the project could lead to a permanent corridor for megaloads through the area.

Imperial said even if the injunction isn't dissolved Thursday, it could be modified to allow the company to move equipment along U.S. Highway 12 through Idaho to Lolo and then to Missoula.

The company said such a ruling would also address one of the court's concerns: "No high-wide corridor would be established on the ... route because the injunction would only be partially lifted."

The equipment is for an oil sands project in Canada.

Information from: Missoulian, <http://www.missoulian.com>

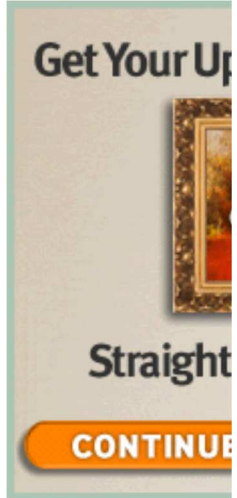
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