

# US county sues oil companies for \$51 bn over 'Heat Dome' disaster

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Kermic Luster rests in a cooling center at the Oregon Convention Center on June 27, 2021 in Portland, Oregon.

A county in the northwestern state of Oregon on Thursday filed a lawsuit against major fossil fuel companies seeking more than \$51 billion over

the 2021 "Heat Dome," one of the United States' deadliest weather-related disasters.

Multnomah County, which encompasses the state's most populous city Portland, said combined historic carbon pollution from use of the companies' products—and their decision to mislead the public about their impacts—was a big factor in exacerbating the heat wave.

"This is an event that is directly attributed to the impacts that we are seeing on our climate because of the actions of fossil fuel companies and their agencies that have been pressing for decades to deny climate science," County Chair Jessica Vega Pederson told AFP.

The county is asking for \$50 million in current damages from the Heat Dome, and \$1.5 billion for future damages as [extreme heat](#), drought, wildfires, and smoky skies become more common.

It also wants a much larger sum—\$50 billion—for a longer term "abatement fund" to upgrade and "climatize" the county's infrastructure.

The record-breaking [heat wave](#) baked the western United States and Canada from late June to mid-July 2021, causing a peak temperature of 121.3 degrees Fahrenheit (49.6 degrees Celsius) in Lytton, British Columbia and leading to an estimated 1,400 deaths.

A peer-reviewed analysis by the World Weather Attribution group said the phenomenon would have been "virtually impossible" without human-caused climate change.

Global warming combined with a dense high-pressure system that hovered over the Pacific Northwest to create a convection-oven effect over the normally mild region.

## Wave of litigation

Multnomah County's suit names major oil firms including ExxonMobil, Shell, Chevron and BP, but also the American Petroleum Institute and Western States Petroleum Association trade groups, as well as consultancy McKinsey & Company.

It asserts that over the course of three days starting June 25, 2021, the county was scorched by record highs peaking at 116F (46.7C), causing the deaths of 69 people, extensive property damage, and the significant expenditure of taxpayer money.

"The heat dome was a direct and foreseeable consequence of the Defendants' decision to sell as many fossil fuel products over the last six decades as they could," it said.

It added the defendants lied "to the County, the public, and the [scientific community](#) about the catastrophic harm that pollution from those products into the Earth's and the County's atmosphere would cause."

An ExxonMobil spokesperson said, "Suits like these continue to waste time, resources and do nothing to address climate change.

"This action has no impact on our intention to invest billions of dollars to leading the way in a thoughtful energy transition that takes the world to net zero carbon emissions."

Chevron's lawyers echoed Exxon's statement, saying "these lawsuits are counterproductive distractions from advancing international policy solutions."

"The federal Constitution bars these novel, baseless claims that target one industry and group of companies engaged in lawful activity that

provides tremendous benefits to society," the Chevron counsel statement added.

Multnomah County joins dozens of cities, counties, and states across the US suing fossil fuel interests over climate change impacts as well as campaigns of disinformation spanning decades.

Since the current wave of litigation began around 2017, the industry has sought to avoid state trials on procedural grounds—an effort that received a major blow in May when the Supreme Court declined to consider an appeal in two cases, meaning they can proceed.

## **Modeled on Big Tobacco, Pharma cases**

These lawsuits are modeled on successful cases against Big Tobacco as well as against the pharmaceutical industry over the proliferation of opioids.

"There are no new laws or novel theories being asserted here," said attorney Roger Worthington, a partner at one of the firms representing the county. "We contend that the Defendants broke long-standing ones, and we will prove it to a jury."

Youths in Montana meanwhile brought a separate, headline-grabbing case against their government, for allegedly violating their state's constitutional rights to a clean and healthful environment.

They are not seeking damages, but rather a judgment declaring unconstitutional regulations that allow agencies to ignore climate impacts when making permitting decisions for fossil fuel development. That trial is now awaiting a verdict.

"Across the country and the world, climate litigation is helping

communities resist the fossil fuel industry's attempts to further extend a dangerous, unjust and destructive fossil fuel-dependent energy system and economy," said Delta Merner, a climate litigation expert at the Union of Concerned Scientists.

"Communities should not be forced to pay the price for these catastrophic [climate](#) damages while the companies that caused the crisis perpetuate their lies and rake in record profits," added Center for Climate Integrity President Richard Wiles.

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