

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

Conservation Law Foundation, Inc. v. Shell Oil Products US, et al.

Conservation Law Foundation · No. C.A. No. 17-396 JJM · Decided March 3, 2026

SUMMARY

The United States District Court for the District of Rhode Island denies Defendants’ motion for reconsideration of the denial of their motion for partial summary judgment. The Court holds that Defendants’ evidence concerning a September 2025 Rhode Island Department of Environmental Management inspection was not newly discovered because Defendants possessed it during the pendency of their motion and failed to timely present it. The Court also states that, in any event, the inspection would not eliminate disputed facts concerning alleged environmental permit violations.

CASE DETAILS

COURT	United States District Court for the District of Rhode Island
WRITING FOR THE COURT	John J. McConnell, Jr.
JURISDICTION	United States District Court for the District of Rhode Island
DECIDED	March 3, 2026
DOCKET	C.A. No. 17-396 JJM
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for reconsideration of the court's prior order denying their motion for partial summary judgment.
STANDARD OF REVIEW	A motion for reconsideration is an extraordinary remedy granted sparingly. The moving party must demonstrate a manifest error of law or newly discovered evidence, and reconsideration cannot be used to cure a party's procedural failure or introduce evidence or arguments that could and should have been presented before judgment.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motion for reconsideration
- summary judgment
- civil procedure
- environmental law
- clean water act

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether defendants established a manifest error of law or newly discovered evidence warranting reconsideration of the court's prior denial of partial summary judgment.
2. Whether evidence from the September 2025 RIDEM inspection could be treated as newly discovered when defendants possessed it for several months during the pendency of their summary-judgment motion.
3. Whether the RIDEM inspection independently required reconsideration of the prior summary-judgment ruling.

HOLDINGS

1. Defendants were not entitled to reconsideration because they failed to demonstrate a manifest error of law or qualifying newly discovered evidence and failed to justify their delay in presenting the inspection evidence.
2. The RIDEM inspection evidence was not newly discovered because defendants possessed the evidence for several months while their summary-judgment motion was pending and deliberately or unjustifiably withheld it.
3. Even if considered, the RIDEM inspection would not warrant partial summary judgment because it constituted at most an additional disputed fact.

KEY QUOTATIONS

“a motion for reconsideration does not provide a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance arguments that could and should have been presented to the district court prior to the judgment” (Section II)

“Evidence known to a party and deliberately withheld for tactical reasons cannot plausibly be counted as newly discovered.” (Section II)

“At the summary judgment stage, the trial court examines the entire record in the light most flattering to the nonmovant and indulges all reasonable inferences in that party’s favor.” (Section II n.2)

FACTUAL BACKGROUND

The dispute concerns alleged violations of federal environmental law at defendants' Providence Terminal and the meaning of permits governing defendants' conduct, including whether the permits require consideration of climate-change-related adverse impacts. After filing their motion for partial summary judgment, defendants learned of or possessed the results of a September 16, 2025 inspection conducted by environmental engineers employed by the Rhode Island Department of Environmental Management. Defendants waited more than three months to inform the court of the inspection and then sought reconsideration based on the assertedly exculpatory inspection results.

PROCEDURAL HISTORY

Plaintiff brought an action seeking to impose liability on defendants for alleged violations of federal environmental law concerning the Providence Terminal and the permits governing defendants' conduct. The court previously denied defendants' motion for partial summary judgment. Defendants then moved for reconsideration based on a September 16, 2025 inspection by the Rhode Island Department of Environmental Management, but the court denied reconsideration because defendants had delayed presenting the evidence and had not shown manifest error or qualifying newly discovered evidence.

DISPOSITION

other

CASES CITED

- 642 F.3d 87, 91 (1st Cir. 2011)
- 402 F.3d 1, 7 n.2 (1st Cir. 2005)
- 118 F.3d 10, 16 (1st Cir. 1997)
- 507 F.3d 23, 34 (1st Cir. 2007)
- 116 F.3d 957, 959 (1st Cir. 1997)

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