

Riverton, Wyo., sulfuric acid manufacturer agrees to reduce air pollution

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Chemtrade facility among several nationwide to settle Clean Air Act claims; Northern Arapaho Tribe party to agreement

(Denver, Colo. – Jan. 12, 2009) Three manufacturers of sulfuric acid have agreed to spend at least \$12 million on air pollution controls that are expected to eliminate more than 3,000 tons of harmful emissions annually from six production plants in Louisiana, Ohio, Oklahoma, Texas, and the Wind River Reservation in Wyoming, the U.S. Environmental Protection Agency and the U.S. Justice Department announced today. Chemtrade Logistics, Chemtrade Refinery Services, and Marsulex also will pay a civil penalty of \$700,000 under the Clean Air Act settlement.

“The companies are expected to reduce harmful air pollution by an estimated 3,000 tons per year, which is well over half of their annual emissions,” said Granta Y. Nakayama, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. “Today’s settlement will improve air quality for millions of people.”

“This settlement is the product of our sustained effort to bring all sulfuric acid manufacturers into compliance with the Clean Air Act,” said Michael Guzman, Principal Deputy Assistant Attorney General for the Justice Department’s Environmental and Natural Resources Division. “We are pleased that the cooperative effort among us, our state counterparts, the Northern Arapaho Tribe, and the defendants resulted in this victory for the environment.”

Between January 2010 and January 2013, at its four production facilities in Beaumont, Texas; Shreveport, La.; Tulsa, Okla.; and Riverton, Wyo., Chemtrade will upgrade existing pollution control equipment called scrubbers to meet new, lower emission limits for sulfur dioxide. At its facility in Oregon, Ohio, Marsulex will improve chemical processing equipment, which will reduce sulfur dioxide emissions by no later than July 2011. Finally, Marsulex will install a new scrubber at Chemtrade’s sulfuric acid plant in Cairo, Ohio, to meet lower sulfur dioxide limits by July 2011.

This settlement is the third nationwide compliance agreement in a Clean Air Act initiative under which DOJ and EPA expect to reach similar agreements with other sulfuric acid manufacturers. The first and second nationwide sulfuric acid compliance agreements were announced in 2007 with Rhodia Inc. and Dupont. As a result of the three settlements, this initiative has now secured pollution controls at 20 plants and is expected to eliminate a combined total of 35,000 tons of sulfur dioxide emissions per year.

Chemtrade’s and Marsulex’s plants produce sulfuric acid by burning sulfur or used sulfuric acid, thereby creating sulfur dioxide, which poses a danger to children, the elderly, and people with heart and lung conditions.

The government’s complaint, filed with the consent decree, alleges that Chemtrade and Marsulex made modifications to their plants, which increased emissions of sulfur dioxide without first obtaining pre-construction permits and installing required pollution control equipment. The Clean Air Act requires major sources of air pollution to obtain such permits before making changes that would result in a significant emissions increase of any pollutant.

Sulfuric acid has many applications, and is one of the top products of the chemical industry. Principal uses include ore processing, fertilizer manufacturing, oil refining, wastewater processing and chemical synthesis.

EPA is focusing on improving compliance among industries that have the potential to cause significant amounts of air pollution, including the cement manufacturing, glass manufacturing, and acid production industries.

The states of Louisiana, Ohio, and Oklahoma, and the Northern Arapaho Tribe, joined the federal government in the agreement. Of the total penalty, \$460,000 will be paid to the federal government and \$240,000 will be paid to the three states. In Ohio, part of the money will be used to fund a clean diesel school bus project and a tree planting project.

The consent decree, lodged today in the U.S. District Court for the Northern District of Ohio, is subject to a 30-day public comment period and approval by the federal court.

More information on the settlement:

<http://www.epa.gov/compliance/resources/cases/civil/caa/chemtrade-marsulex.html>