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## Environmentalists sue ExxonMobil's Chalmette refinery

By **CAIN BURDEAU**  
The Associated Press  
2/13/2004, 1:02 a.m. CT

NEW ORLEANS (AP) — Environmentalists have filed a lawsuit against ExxonMobil's refinery southeast of here, alleging that the plant endangers the health of nearby residents and has repeatedly violated limits on emissions.

"This lawsuit is being filed because we want clean air and a healthy community," said Kenneth Ford, president of St. Bernard Citizens for Environmental Quality. His group and the Louisiana Bucket Brigade filed the suit.

The suit alleges that the plant's frequent equipment breakdowns have led to violations of its permitted hourly emissions limits and that its storage tanks release too much benzene.



The suit also charges that the refinery has failed to document discharges and operate and monitor the plant's flares properly.

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"When you drive by you can see the problems and smell the problems, and this is what the lawsuit is about," said Anne Rolfes, director of the Louisiana Bucket Brigade. "They need to start investing in the refinery and in people's health."

The suit notes that within three miles of the refinery there are 20 schools, two hospitals and six retirement communities.

Between March 12, 2001, and October 24, 2003, the refinery had over 100 unauthorized discharges due to equipment failures, the suit says.

In 2003, equipment failures caused unlawful emissions of 882,298 pounds of sulfur dioxide, 13,746 pounds of nitrogen oxide, 17,011 pounds of volatile organic compounds and 21,262 pounds of benzene, and 1,321 pounds of hydrocarbons, the suit contends.

The suit charges that three storage tanks of benzene each emit 51 pounds a day above the refinery's 68 pound per day limit.

The suit, filed in federal court in New Orleans, asks the court to issue injunctions forcing the refinery to fix its problems and get into compliance or close down.

The refinery insists that it is in regulation with state and federal laws and standards.

Refinery officials said there are plans to install over \$100 million in "environmentally driven projects," including a new unit to produce low sulfur motor gasoline, equipment to reduce flaring emissions and improve the sulfur plant. The refinery also plans to build a new wastewater treatment facility.

The suit the environmentalists filed is a citizens enforcement suit, which is a measure under the Clean Air Act that allows people to bypass government agencies to get alleged polluters to clean up their operations.

The Louisiana Bucket Brigade and the Tulane Environmental Law Clinic, which has worked on the case, have been active up and down the Mississippi River to get plants to upgrade their facilities.

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