



EMBARGOED UNTIL:

12:00 Noon
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FOR MORE INFORMATION:

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**BRAZILIAN ENERGY COMPANY PETROBRAS FACES CLEAN AIR
LAWUIT FOR VIOLATIONS AT PASADENA, TEXAS, REFINERY**

Groups Allege Half a Million Pounds of Illegal Pollution from 99-Year-Old Refinery

“What many people want for Christmas is clean air”

(HOUSTON) – Environment Texas and Sierra Club announced today that they intend to sue Pasadena Refining System, Inc. (PRSI) in federal court for violations of the federal Clean Air Act at its Pasadena, Texas, refinery, which is located just east of Houston.

The environmental groups’ December 22 “notice of intent to sue” alleges thousands of violations of numerous hourly and annual limits on emissions of particulate matter, sulfur dioxide, nitrogen oxides, and other air pollutants over the previous five years.

The suit, which can be filed 60 days from now in U.S. District Court in Houston, would be the fourth case filed by the two environmental groups since 2008 to confront illegal air emissions arising from oil refineries and petrochemical facilities along the Houston Ship Channel.

“The Pasadena Refinery stands out among Texas oil refineries because of the huge amounts of particulate matter that are repeatedly belched from the facility, in violation of legal limits,” explained Neil Carman, Clean Air Program Director for Sierra Club’s Lone Star Chapter. “Just over a month ago, the company reported that two separate emission events released over three tons of particulate matter into the air, and this past July a single emission event spewed another 21 tons of the stuff into surrounding neighborhoods.”

Particulate matter is a mix of microscopic particles and liquid droplets, including acids, organic compounds, metals, and other dust. According to the U.S. EPA, particulate matter exposure is linked to a range of serious health problems, increased emergency room and hospital visits, decreased life expectancy, and aggravated asthma.

According to the EPA, 75,000 people live within a three-mile radius of the plant, along with at least eight schools, at least one Headstart program, and several daycares.

“Sadly, this is not a new problem for this old refinery, which has violated emission limits, suffered fires and worker injuries, and operated recently for over two years without a valid federal Clean Air Act permit,” said Luke Metzger, Executive Director of Environment Texas. “According to our *Breakdowns in Air Quality* report, PRSI released 92,994 pounds of unauthorized particulate matter in 2015, making it the second worst in the entire state of Texas for this type of illegal pollution.”

“What many people want for Christmas this year is clean air,” added Metzger. “Because neither the state nor federal government has put a stop to PRSI’s continuing violations, ordinary citizens need to step forward now and enforce the law themselves.”

A History of Violations

PRSI’s Pasadena refinery has been the source of air pollution and safety hazards for many years. Residents complain of foul odors near that plant and there is a history of major pollution events and accidents.

In March of 2016 an explosion and fire at the plant injured a worker. Then in July, a lightning strike was blamed for a massive emission event that resulted in extensive flaring and a shelter-in-place order for the Galena Park area, which is northwest of the refinery. Another major fire at the plant occurred in 2011.

Now Owned by Petrobras

The state-controlled oil company of Brazil, Petróleo Brasileiro S.A., or Petrobras, has owned the facility for ten years. The Pasadena facility has been linked to a bribery and kickbacks scandal involving Petrobras known as “Operation Car Wash,” the largest corruption scandal in the history of Brazil.

The Current Violations

The Clean Air Act contains a “citizen suit” provision that allows private citizens affected by violations of the law to bring an enforcement suit in federal court after first providing 60 days prior notice to the violator and to state and federal environmental agencies. Citizens can seek a court order requiring compliance with the law and a monetary penalty of up to \$93,750 per day for each violation of the Act.

According to the groups’ analysis of PRSI’s own publicly filed reports, an ongoing series of equipment failures and malfunctions, operator errors, and startup/shutdown events have caused the refinery to violate hourly emission limits on particulate matter, nitrogen oxides (NOx), volatile organic compounds (VOCs), carbon monoxide, and sulfur dioxide more than a hundred times since 2012.

PRSI has also been in constant violation of an annual tons-per-year limit on particulate matter for well over two years now, according to PRSI's reports.

In addition, the reports show the refinery has violated limits on NOx, sulfur dioxide, hydrogen sulfide, and carbon monoxide emissions from its industrial boilers, tail gas incinerator, and other combustion devices for thousands of hours since 2011. The groups believe even more such violations will be discovered as they gain access to complete records for the facility.

Nitrogen oxides, VOCs, and carbon monoxide contribute to the formation of ground-level ozone, which, according to EPA, can trigger a variety of health problems including chest pain, coughing, throat irritation, and congestion. Sulfur dioxide contributes to respiratory illness, particularly in children and the elderly, and aggravates existing heart and lung diseases. Sulfur dioxide also contributes to the formation of acid rain.

Sierra Club has approximately 24,000 members in Texas who are dedicated to exploring, enjoying, and protecting Texas' environment and natural resources.

Environment Texas advocates for clean air, clean water, and preservation of Texas's natural areas on behalf of approximately 4,000 members statewide. Environment Texas is the state arm of Environment America.

The groups are represented by Josh Kratka, a Senior Attorney at the National Environmental Law Center, attorney David Nicholas of Newton, Massachusetts, and Houston attorney Philip Hilder; copies of the notice letter are available upon request.

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