



EMBARGOED UNTIL:

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FOR MORE INFORMATION:

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Environmental groups sue Petrobras for Clean Air Act violations at Pasadena, Texas refinery

Groups allege persistent pattern of illegal pollution from 99-year-old refinery

Discussions with company on resolving problems have begun

HOUSTON – Environment Texas and Sierra Club announced today that they have filed a lawsuit in federal court against Pasadena Refining System, Inc. (PRSI) for thousands of persistent violations of the federal Clean Air Act at its Pasadena, Texas, refinery, which is located just east of Houston. PRSI is owned by the state-controlled oil company of Brazil, Petróleo Brasileiro S.A., or Petrobras.

The lawsuit alleges repeated and ongoing violations of numerous hourly and annual limits on emissions of fine particulate matter (or soot), sulfur dioxide, nitrogen oxides, and other air pollutants over the previous five years.

The lawsuit is 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.

“Repeated mechanical breakdowns and operator errors have plagued the Pasadena Refinery for years, and illegal releases of pollution have been allowed to recur for far too long without being corrected,” explained Neil Carman, Clean Air Program Director for Sierra Club’s Lone Star Chapter. “Even after receiving notice of our intent to file this lawsuit two months ago, the Pasadena Refinery has reported at least six more emission events that resulted in unauthorized air pollution into the surrounding communities.”

“While we greatly appreciate the willingness of Pasadena Refining officials to sit down with us to begin discussing ways to resolve the longstanding problems at this facility, we believe this company needs to make a major new commitment to environmental compliance,” said Luke

Metzger, Director of Environment Texas. “According to our research, PRSI released 70,129 pounds of unauthorized particulate matter in 2016 alone, making it the worst in the entire state of Texas for this type of illegal pollution. PRSI is also the third largest source of unauthorized, smog-forming, VOC pollution in Harris County.”

Particulate matter is a mix of microscopic particles and liquid droplets, including acids, organic compounds, and metals. 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.

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 the 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

Petrobras has owned the Pasadena Refinery for ten years. The Pasadena Refinery 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 and carbon monoxide emissions from its industrial boilers for thousands of hours since 2011.

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 4,400 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 complaint are available upon request.

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