

PHILADELPHIA AREA RESIDENTS FILE POLLUTION LAWSUIT AGAINST SUNOCO REFINERY

*Years of Inaction by Federal, State Regulatory Agencies Leave Violations Unresolved;
Group that Drove \$5.5 Million Sunoco Cleanup in Late 1990s Presses Again.*

Philadelphia, PA- April 12, 2005- After waiting for almost half a decade for the U.S. Environmental Protection Agency (EPA) to settle with Sunoco over years of environmental violations that have exposed area residents to pollution emissions, flaring, and foul odors, the Community Labor Refinery Tracking Committee (CLRTC) filed a lawsuit Monday against the Sunoco refinery in Philadelphia.

The suit details serious abuses at the refinery, including illegal releases of excess hazardous air pollutants such as the carcinogens benzene and ethylbenzene. Over 1,000 violations of federal law, the Pennsylvania code and Sunoco's own permits are detailed in the suit.

"We're filing this suit today because Sunoco has violated city, state and federal environmental regulations dozens of times in the past five years, and yet they have not faced punishment or fixed the problem," said Joanne Rossi, president of the Community Labor Refinery Tracking Committee. "It's unfortunate that the community has to be the ones to stand up to them and force change."

Violations identified in the suit include the following: unit malfunctions that have caused releases of thousands of pounds of sulfur dioxide and hydrogen sulfide at a time; excessive flaring of refinery gases that has resulted in gray and black smoke sending harmful emissions into the surrounding neighborhoods; and a major, unplanned shutdown at the fluidized catalytic cracking unit that caused a release to the neighborhoods of "catalyst" -- very fine particles that can contain harmful elements.

CLRTC is seeking fines and major upgrades to the facility to eliminate the causes of many of these violations.

The CLRTC has brought legal action against Sunoco before. A 1997 suit by the group resulted in a \$5.5 million consent decree that required plant improvements yielding significant reductions in emissions. Major violations continued to occur, however, and the CLRTC again filed an intent to sue Sunoco in October of 2000. At that time, the Environmental Protection Agency, the Justice Department and the Pennsylvania Department of Environmental Protection asked the CLRTC to hold off on filing a lawsuit so that EPA could negotiate with Sunoco as part of a national company-wide settlement. Those negotiations are still taking place.

Since that time, the CLRTC has not been invited to participate in any discussions between Sunoco and EPA regarding the settlement. Requests for information pertaining to clauses of the draft settlement were also rebuffed, leaving the CLRTC with little information about how or if community concerns were being addressed properly. In light of the severity of Sunoco's illegal air pollution and its effect on the surrounding neighborhoods, CLRTC believes it should be

involved in any discussions about settlement with Sunoco. Additionally, while CLRTC would be happy to see a reasonable settlement with Sunoco, any acceptable settlement must remedy the numerous violations CLRTC has identified and ensure they do not happen again.

The CLRTC works in close partnership on refinery issues with Clean Water Fund. “The residents of southwest Philadelphia have waited long enough for relief from Sunoco’s excess pollution,” said Christine Knapp of Clean Water Fund. “All they are asking is for Sunoco to comply with the law and address the problems created by its long history of noncompliance.”

The Mid-Atlantic Environmental Law Center is providing legal representation for CLRTC in its citizen suit against Sunoco.

The Environmental Integrity Project (EIP) aided CLRTC in documenting some of the pollution abuses at the Sunoco plant. Commenting on the lawsuit, EIP counsel Kelly Haragan said: “The new lawsuit against Sunoco is just the latest in a spate of such litigation in which citizens who suffer from the daily oppression of pollution are forced to take matters into their own hands and do the job that the EPA and a state won’t do. In this case, the federal and state governments had more than ample time to take action and remedy this problem.”

“CLRTC members and all residents in Southwest Philadelphia have just as much of a right to breathe clean air as anyone,” said CLRTC vice president Al Caporali. “It’s time for Sunoco to truly become a better neighbor.”

ABOUT THE GROUPS

CLRTC (<http://www.clrtc.freeservers.com>) is an association of concerned citizens and workers residing primarily in South and Southwest Philadelphia, the members of which share a common concern about the health, safety and environmental problems caused by Sunoco’s Philadelphia refinery. For the past 13 years, they have been the voice of the community in fighting for lowered emissions, public involvement and improved safety at the refinery.

Clean Water Fund (<http://www.cleanwaterfund.org>) is a national non profit organization that brings diverse communities together to work for changes that improve our lives, promoting sensible solutions for people and the environment. Clean Water Fund has partnered with the CLRTC for over 10 years, providing them with organizing assistance and acting as their fiscal sponsor.

The Mid-Atlantic Environmental Law Center (<http://www.maelc.org>) is a not-for-profit environmental law firm that provides legal services to public interest organizations in environmental matters. The Center's mission is to restore and protect the environment by ensuring that environmental requirements are met, and that legislation and regulations are adequately implemented and enforced by the responsible federal, state and local agencies.

The Environmental Integrity Project (<http://www.environmentalintegrity.org>) is a nonprofit and nonpartisan organization established in March of 2002 to advocate for more effective enforcement of environmental laws. EIP was founded by Eric Schaeffer, who was director of the

U.S. Environmental Protection Agency's Office of Regulatory Enforcement. He resigned in 2002 after publicly expressing his frustration with efforts of the Bush Administration to weaken enforcement of the Clean Air Act and other laws.

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