

Groups File Federal Lawsuit against Chemical Plant for Violating Hazardous Waste Laws

Environmental Justice Groups Sue Corteva, Inc. Plant in Pittsburg, California, for Violating Hazardous Waste Laws that Protect Workers and Nearby Residents

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Media contacts: Tom Pelton, Environmental Integrity Project, (443) 510-2574 or tpelton@environmentalintegrity.org

Shana Lazerow, Communities for a Better Environment, (415) 217-9584 or slazerow@cbeocal.org

San Francisco – Three environmental groups today [filed a federal lawsuit](#) against a chemical plant northeast of San Francisco for serious violations of federal hazardous waste laws meant to control air pollution and protect workers and nearby residents from dangerous chemicals.

The 1,000-acre Corteva Inc. plant (formerly owned by Dow Chemical Company), located in Pittsburg, Ca., manufactures fertilizers, insecticides, and personal care products in a community of 70,000 people, many of them low-income people of color who suffer the greatest health burdens in the state.

“For years, people living around this dangerous facility have suffered unacceptably high levels asthma and cardiovascular disease,” said Andres Soto, organizer with Communities for a Better Environment. “The communities are mostly Latino and African American, largely living in poverty. Failing to control, or even keep track of hazardous materials where these people live is unacceptable.”

The plant is alleged to be violating health-based limits that control when and how much hazardous waste can be burned in its furnaces. The plant also is operating a large wastewater treatment system without the proper hazardous waste permit, according to the lawsuit filed by Communities for a Better Environment (CBE), the Environmental Integrity Project (EIP) and Environmental Advocates. Some of the wastewater treatment tanks are open to the air and emitting hazardous wastes.

Corteva is also failing to keep records necessary to demonstrate compliance with the federal Resource, Conservation and Recovery Act (RCRA), including records that would show the amount and concentration of hazardous waste it is releasing into the atmosphere, according to the lawsuit.

“First Dow and now Corteva have been skirting state and federal permitting requirements designed to protect health and prevent releases of hazardous waste for years,” said Mary Greene, Deputy Director of EIP. “This is yet another example of the failure of environmental

enforcement in the Trump era for serious violations documented by the administration's own environmental protection agency."

The violations addressed in the lawsuit, filed in the United States District Court for the Northern District of California in San Francisco, relate to hazardous waste management violations uncovered during an inspection conducted by the U.S. Environmental Protection Agency in March 2016 that have yet to be addressed by either California or EPA.

The complaint asserts that Corteva (and previously, Dow) has violated the Resource Conservation and Recovery Act and its hazardous waste permits since at least May 2014, including by not following health-based limits that control when and how much hazardous waste it can burn.

Some of the hazardous wastes fed to the plant's furnaces and treated in their unpermitted wastewater treatment system include metals such as arsenic (a carcinogen), chromium (a carcinogen), mercury (potentially carcinogenic and toxic to the central nervous system), lead (potentially carcinogenic and toxic to the central nervous system), methylene chloride (toxic to the central nervous system and potentially carcinogenic to humans), and trichloroethylene (a known human carcinogen), according to the lawsuit.

"The residents of this area deserve a responsible corporate neighbor that fully complies with our important laws that protect public health," said Chris Sproul, attorney for Environmental Advocates.

The chemical plant's failure to adhere to the permitting and regulatory requirements associated with the management of hazardous waste potentially exposes workers and nearby residents to harmful hazardous wastes.

The organizations are demanding that Corteva follow federal law and properly manage the plant's hazardous waste.

For a copy of the lawsuit, [click here](#).

The Environmental Integrity Project is a national, nonprofit organization, based in Washington D.C., that empowers communities and protects public health by investigating polluters, holding them accountable under the law, and strengthening public policy.

Communities for a Better Environment (CBE) is one of the preeminent environmental justice organizations in the nation. CBE's mission is to build people's power in California's communities of color and low-income communities to achieve environmental health and justice by preventing and reducing pollution and building green, healthy and sustainable communities and environments.

Environmental Advocates is an environmental government watchdog and voice for the environment, conservation, wildlife, and public health. Environmental Advocates is ever-vigilant, monitoring state government's actions, advocating for the policies and practices that will protect our shared environment, and defeating regressive measures that seek to roll back hard-won conservation victories.

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