

US EPA ARCHIVE DOCUMENT

***Summary of Previous State and Federal Actions to Address Pollution in
Tonawanda***

Spring 2015

EPA and the New York State Department of Environmental Conservation have conducted a full evaluation of the Tonawanda Coke facility and with the Department of Justice and the New York Attorney General's Office, have taken numerous actions to bring the facility into compliance with federal and state laws and regulations, including a federal criminal trial conviction in 2013 for violations of the Clean Air Act and the Resource Conservation and Recovery Act (RCRA). In that matter, Tonawanda Coke was sentenced in March 2014 to pay a \$12.5 million criminal penalty and \$12.2 million in community service payments to fund an epidemiological study and an air and soil study. Tonawanda's environmental control manager was sentenced to a year in prison.

Under a 2015 administrative settlement with EPA and NYSDEC, Tonawanda Coke will pay a \$51,000 penalty for improper maintenance and operations at its coke manufacturing facility that led to a January 31, 2014 explosion and injured three workers. There was an explosion and release of gas from the coke oven due to an equipment failure. Walls in the area of the explosion were severely damaged. One employee was blown to the ground, another experienced dust inhalation and a burn on his face, and a third was sent for X-rays of his shoulder and to have debris removed from his eyes. Tonawanda Coke has been ordered to take actions at the facility to prevent a similar incident from happening again.

In 2009, after identifying numerous violations of the Clean Water Act, the EPA ordered Tonawanda Coke to, among other things, correct its improperly connected wastewater pipes, redesign and install stormwater pollution controls, and install new wastewater pollution controls in order to stop unpermitted wastewater discharges. Tonawanda Coke has spent approximately \$2.7 million to comply with this order.

In the area of hazardous waste management, EPA issued an order in month/year

to Tonawanda Coke Corporation requiring the company to stop mixing its tar sludge on coal piles on the ground. EPA had also ordered the company to clean up the remains of two tar storage tanks that had burned in a 2007 fire and released hazardous waste tar residue to the surrounding soils. Tonawanda Coke has resolved these violations and ultimately excavated and properly disposed of 4,667,034 pounds of residual tar waste, debris and contaminated soil from in and around the tanks.

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