

(AMM) Residents file pollution lawsuit vs. SunCoke unit

September 15, 2009

Four private citizens have filed a lawsuit against Haverhill North Coke Co. of Franklin Furnace, Ohio, and its parent company, SunCoke Energy Inc., claiming that emissions from the Haverhill plant are in violation of the federal Clean Air Act.

The lawsuit was filed in U.S. District Court for the Southwestern District of Ohio by Glenn Graff, Kelly Graff, Hildreth Maddox and Peggy Maddox, who own property near the plant. Mrs. Graff contends that she is ill-suited to fight off "carcinogenic and other deleterious agents released from the facility" due to a brain tumor, and the Maddoxes also indicated they are unable to endure the alleged emissions because they are elderly.

The plaintiffs claim that "gaseous chemical clouds and haze, sludge-like deposits, strong odors, particulate dust emissions, sulfur dioxide emissions, nitrogen oxide emissions and other hazardous substances and other pollutants have been, and continue to be, released" from the plant, which operates 200 non-recovery coke ovens.

Emissions from the plant include sulfur dioxide, carbon monoxide, nitrogen oxides, lead, mercury, hydrochloric acid and benzene, according to the complaint, which also contends that "a white, ash-like material has been repeatedly deposited on residences, cars and swimming pools located near the facility."

The plaintiffs allege that "releases have endangered and continue to endanger the health, safety and welfare of the public and have caused, and continue to cause, unreasonable injury and damage to property."

In addition to an unspecified amount of monetary relief, the plaintiffs are asking the court to ensure that the facility is in compliance with clean air laws, regulations and permits. They also are requesting that Haverhill North Coke remediate any environmental damage as well as pay \$27,500 per day for each violation occurring before March 15, 2004; \$32,500 per day for each violation occurring between March 16, 2004, and Jan. 12, 2009; and \$37,500 per day for each violation after Jan. 12, 2009.

A SunCoke spokesman declined to comment.

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