

From: Bruce Bartlett *102*
To: Jay Henson
Date: 1/6/05 10:00AM
Subject: Honeywell - Illinois Attorney General Files Suit

Jay

Contrary to what Attorney General Lisa Madigan says Antimony Pentafluoride is NOT also used to produce nuclear energy. This was event number 40513 (a copy is at the end of this E-Mail). Antimony Pentafluoride [SbF5, CAS RN: 7783-70-2] is a moderately viscous liquid; corrosive and hygroscopic; reacts violently with water; soluble in glacial acetic acid; used as a fluorination agent in organic synthesis. For instance Tungsten Hexafluoride is prepared by treating with Antimony Pentafluoride.

Bruce

Illinois AG files lawsuit against Honeywell for toxic gas leaks

METROPOLIS, Ill. - The state attorney general has filed a lawsuit against Honeywell International accusing it of air pollution in two toxic gas leaks at its southern Illinois plant.

The lawsuit, which was filed at the request of the Illinois Environmental Protection Agency, claims Honeywell violated air pollution laws when seven pounds of uranium hexafluoride gas was released into the air on Dec. 22, 2003. Four people were sent to the hospital and dozens more were evacuated from their homes near the plant in Metropolis.

The gas is mildly radioactive but is considered a chemical threat because it emits toxic hydrogen fluoride. The plant converts natural uranium to uranium hexafluoride, or UF6, which is used to produce nuclear energy.

The Nuclear Regulatory Commission blamed the release on human error. The other toxic gas leak happened Sept. 12, 2003 when a cloud of hydrogen fluoride came from the plant after someone allegedly accidentally released antimony pentafluoride, which is also used to produce nuclear energy, according to Attorney General Lisa Madigan's office.

Honeywell officials said in a statement that the Morris Township, New Jersey-based company has been talking with the IEPA about the leaks. Since the leaks, the company said it has implemented procedures such as upgrading training and procedures and improving the company's communication with emergency responders.

The lawsuit, which also accuses Honeywell of land pollution and other violations, was filed on Dec. 30 in Massac County Circuit Court. It seeks \$50,000 for each pollution violation and \$10,000 for each day the violations continue.

Event Number 40513

Fuel Cycle Facility Event Number: 40153
Facility: HONEYWELL INTERNATIONAL, INC.
RX Type: URANIUM HEXAFLUORIDE PRODUCTION
Comments: UF6 CONVERSION (DRY PROCESS)
Region: 3
City: METROPOLIS State: IL
County: MASSAC
License #: SUB-526
Agreement: Y
Docket: 04003392
NRC Notified By: KEN O'BRIEN

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EDO Note for January 6, 2004

Honeywell International, Inc., Metropolis, IL

The attorney general for the State of Illinois filed a lawsuit against Honeywell accusing it of air pollution from two toxic gas releases. The two releases were the uranium hexafluoride release on December 22, 2003, that resulted in a declaration of a Site Area Emergency, and an antimony pentafluoride release on September 12, 2003, that resulted in the declaration of an Alert. The antimony pentafluoride release was from a building and operation separate from the uranium hexafluoride processing and did not involve NRC licensed materials. The lawsuit was filed on December 30, 2004, and seeks \$50,000 for each pollution violation and \$10,000 for each day the violations continue.

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IEPA LAWSUIT

QUESTIONS

- Q. What is the lawsuit that the Illinois Attorney General filed against Honeywell?
- A. On December 30, 2004, the Illinois AG filed a lawsuit at the request of the Illinois EPA, claiming that Honeywell violated air pollution laws when uranium hexafluoride was released on December 22, 2003, and antimony pentafluoride was released on September 12, 2003.
- Q. What is the proposed action?
- A. \$50,000 for each violation and \$10,000 for each day the violations continue.
- Q. Didn't the NRC previously take enforcement action against Honeywell for these releases.
- A. The NRC issued Severity Level III violations with no civil penalties during followup to the uranium hexafluoride release. The NRC determined that the antimony pentafluoride release did not fall under our jurisdiction as it did not involve a licensed operation.
- Q. Given that the NRC has taken enforcement action regarding the uranium hexafluoride release, why is IEPA pursuing it and why are they proposing a fine.
- A. The IEPA has different jurisdiction and laws (i.e., pollution regulations) as well as different enforcement criteria. Contact IEPA for further information.
- Q. Is the IEPA pursuing other issues as part of the lawsuit?
- A. The IEPA is the contact for further details regarding this lawsuit.