



January 18, 2012

To:

Mathy Stanislaus, EPA Administrator of Solid Waste and Emergency Response
Cynthia Giles, EPA Administrator of Enforcement
Al Armendariz, EPA Region VI Administrator
Captain Peter Gautier, Sector Commander, US Coast Guard

RE: ExxonMobil's Baton Rouge Refinery

Dear Colleagues:

We are writing to request that the second largest refinery in the United States - ExxonMobil's Baton Rouge Refinery (EM BRRF) - be placed high on your targeted list of facilities for enforcement actions and inspections. ExxonMobil Baton Rouge has been on our radar since we began working with partners in the neighborhood adjacent to the plant in 2003. The proximity of the community to the sprawling petrochemical complex that includes ExxonMobil's Refinery and Chemical Plant is one of the most egregious cases of environmental injustice in the region.

According to Census 2010 there are 59,690 people living within two-miles of the refinery (Appendix A). Ninety-four percent of this population are African American, 41% are living below the poverty line and 50% of the children are living in poverty.

LABB's Refinery Accident Database has been tracking EM BRRF episodic releases since 2005 by analyzing the seven-day letters that the facility files with the LDEQ. Of all refineries in the state, EM BRRF has the highest number of reported accidents in that timeframe (709 reports since 2005) and the second highest volume of releases via accidents (4,280,641 pounds of air pollution) after Chalmette Refining, also an EM subsidiary.

In October 2010, the Louisiana Bucket Brigade reviewed the ExxonMobil Baton Rouge Refinery Risk Management Plan (RMP) while visiting EPA Region VI in Dallas. Our review shows that the RMP as written does not comply with CAA(r) 40 CFR Part 68 Accidental Release Prevention.

Though the facility's RMP states that they have no accident history to report for any of the processes covered by the RMP, the refinery's own upset reports show that EMBRR has reported the following to the LDEQ and/or State Police since 2005. See Appendix B for an Excel workbook of these incidents organized by unit.



No.	Unit/Process	Number of incident reports to LDEQ involving unit	Amount of pollution reported (pounds)
1	Alkylation	11	68,210
2	HHLA	2	23,737
3	HCLA	2	235,614
4	PHLA	3	13,085
5	RHLA	3	272,455.5
6	T-210	2	BRQ
7	ICN	4	12,720
8	LEU	1	141,780
9	Propane Storage	3	4,239
10	Gas Collection	1	5,347
11	PCLA	5	149,099
	TOTAL	37	926,286.5

Some of these incidents were catastrophic. On May 7, 2009, an incident on the PCLA unit (LDEQ#114733) led to Carbon Monoxide exposure among nine employees. According to OSHA, this occurred because the venture nozzles were corroded, including one steel shell that had rusted to the point where the material was paper-thin. The expansion joint has been in operation since 1999.

Fires were frequent at EM BRRF in 2010. On April 14, 2010 a flash fire occurred at the refinery sending two contract workers and one EM employee to the burn unit at Baton Rouge General Hospital. No information was given regarding the root cause of the fire. This was the second of five fires at the facility in 2010.

OSHA has cited the EM BRRF for minimum staffing at the Hydrocracker. The Company has challenged this citation. Represented union workers are appalled at the lack of preventive maintenance and skilled workers to perform the necessary repairs to maintain the facility. Several years ago the Company advised that the risk assessments made by management stated that lesser maintained work equipment was now considered as acceptable risks. The Company also changed the high standards of engineering in their facilities to a "global" standard that did not require the more stringent controls originally in place. Company engineers have been reduced and the engineering plans have been allocated to contractors. Workers at EM BRRF report that the working environment is more hazardous due to these management changes, the reduction in preventative maintenance and the reduction of staff.



7000 Lakeshore Drive, Lake Charles, LA 70601

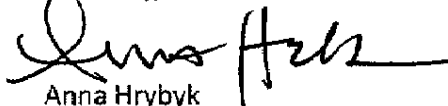
One major concern to the United Steelworkers is the removal of the experienced workers at the Mississippi River Docks. Seasoned workers that are responsible for the ships and barges product handling are no longer there. This is an area that can easily have spills and releases into our water supply.

In October 2011, LABB conducted a review of the East Baton Rouge Parish Local Emergency Planning Commission's (LEPC) Emergency Operations Plan (EOP) and found it in violation of EPCRA Sections 301-303. The East Baton Rouge Parish EOP fails to protect the neighborhood living within 2 miles of the EM BRRF in the event of an accidental release.

- Although the EOP is supposed to be reviewed annually, there appears to have been no review since 2009.
- The EOP does not provide information about chemicals in the community or any information regarding key facilities and hazardous transportation routes within their community.
- The EOP does not show a designated community coordinator to help implement the plan. The LEPC also makes no mention of a community member serving on their committee.
- The EOP does not mention any specific populations/neighborhoods that are susceptible to threats.
- The EOP shows the locations of sirens within the parish, for notification in the event of an emergency, but it does not go into detail about what citizens are supposed to do once they hear a notification over the siren, which petrochemical facilities use the sirens and who is designated to maintain the sirens.
- The EOP does not state specific dates when training exercises will be executed, or how often they should be executed. It also does not incorporate specific facilities and/or community members in the training plans.
- The plan makes no mention of environmental monitoring and/or sampling during and post-incident.

We hope that the information provided in this letter will assist EPA Region VI and the US Coast Guard in adding the EM BRRF to its list of facilities targeted for inspection and enforcement actions in 2012.

Sincerely,



Anna Hrybyk
Program Manager
Refinery Efficiency Initiative



Cheryl Arnold
Business Manager
Representative for EMBRRF wage earners