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ATTORNEY GENERAL RAOUL FILES LAWSUIT AGAINST MODERN PLATING OVER HYDROCHLORIC ACID LEAK

Raoul Also Seeks Injunction Requiring Immediate Evaluation and Cleanup

Chicago — Attorney General Kwame Raoul [filed a lawsuit](#) against Modern Plating Corp. over the release of the hazardous chemical hydrochloric acid at its plant in Freeport, Ill.

Raoul's lawsuit, filed in Stephenson County Circuit Court, includes allegations of air and water pollution, conducting a hazardous waste disposal operation without a permit, and the dumping of waste into an on-site pond. Raoul also [filed a motion for immediate and preliminary injunction](#), seeking an order requiring Modern Plating to immediately contain and clean up the pollution.

On Jan. 14, an above-ground storage tank at the Modern Plating site in Freeport ruptured, releasing about 4,800 gallons of hydrochloric acid. The acid reached a pond, which connects to a small creek that drains into the Pecatonica River. The release also created a vapor cloud which caused 20 employees to be evacuated from the site. Emergency personnel tried to evacuate nearby residents but were prevented due to the vapor cloud, and at least one person sought medical attention due to potential hydrochloric acid exposure.

"Hydrochloric acid poses significant health and environmental hazards, and I am committed to ensuring the immediate and long-term impacts of this release are addressed," Raoul said. "My office will continue working to ensure that companies are held accountable for contamination that threatens public health and our environment."

Hydrochloric acid is a hazardous chemical that can cause burns and additional burns and scarring to the nose, throat and respiratory tract when inhaled. Release of the chemical into streams, creeks and other water bodies can result in the death of fish and other aquatic life.

In addition to filing the lawsuit, the Attorney General's office filed a motion asking the court to enter an order that will require Modern Plating to take immediate action while the litigation is pending. Raoul's motion seeks to require Modern Plating to investigate the cause of the release, contain and clean up pollution, and remove and properly dispose of contaminated soil. The motion also seeks to require the company to submit a number of reports to the Illinois Environmental Protection Agency (IEPA), including a summary describing past response actions, a report detailing findings and recommendations for corrective actions or preventive measures – which should be implemented following IEPA approval – and a completion report.

Raoul's lawsuit also seeks to require Modern Plating to investigate the cause of the release, take necessary steps to prevent future chemical releases, and pay civil penalties.

Handling this case for Raoul's Environmental Enforcement Division are Assistant Attorneys General Daniel Robertson and Karen Howard.