

August 23, 2022

**ATTORNEY GENERAL RAOUL FILES LAWSUIT AND INTERIM ORDER AGAINST BRAINERD
CHEMICAL MIDWEST LLC**

Chicago — Attorney General Kwame Raoul today announced a lawsuit against Brainerd Chemical Midwest LLC (Brainerd Chemical) for allegedly allowing excess emissions of hydrogen fluoride from its chemical distribution facility in Danville, Illinois. Hydrogen fluoride is a corrosive chemical that is harmful to human health, at low levels causing irritation to the eyes, nose, and respiratory tract, with exposure at high levels potentially leading to death.

“Brainerd Chemical – in failing to properly maintain its facility – created a risk to public health and the environment in an environmental justice community,” Raoul said. “Businesses that are negligent in their duty to protect human health and follow the law must be held responsible.”

[According to Raoul's lawsuit](#), filed in Vermilion County Circuit Court, three residents living near the chemical facility contacted the Illinois Environmental Protection Agency (IEPA) in July 2022 to complain that their grass had turned brown, and plants appeared to die overnight. The IEPA inspected the facility and observed damaged and dead vegetation for approximately a quarter mile south of the facility.

During its July 15 inspection, IEPA officials observed a visible plume of emissions from the facility. The agency requested operational, inspection, maintenance and repair records for the air pollution control device intended to control hydrogen fluoride emissions. The plant manager advised the IEPA that no such records existed, in violation of the facility's air pollution control permits. At the IEPA's request, Brainerd Chemical ceased operations involving hydrofluoric acid at the facility.

Raoul's lawsuit is based on a referral from the IEPA.

“The release of hydrofluoric acid from Brainerd Chemical storage tanks resulted in significant environmental impacts and a threat to the health of area residents,” said Illinois EPA Director John J. Kim. “The Illinois EPA requested Attorney General Raoul's office represent the Agency and obtain this order to prevent any further illegal release of emissions and to ensure appropriate actions are taken to protect human health and the environment.”

The [agreed interim order](#), entered today, requires Brainerd Chemical to continue to cease and desist from operations utilizing hydrofluoric acid; conduct an assessment of the facility's pollution control equipment and chemical storage tanks; and take all required corrective actions to bring the facility into compliance prior to restarting operations. The lawsuit is part of Attorney General Raoul's work to address environmental justice issues throughout Illinois by enhancing enforcement actions in areas that are disproportionately impacted by pollution.

The Attorney General's office enforces Illinois' environmental protection laws. Attorney General Raoul's Environmental Enforcement Division, which enforces civil environmental laws, has recovered millions of dollars from polluters and required companies to undertake environmental improvement projects in communities impacted by pollution. Raoul encourages residents to report environmental justice and other environmental concerns to his office by emailing ei@ilag.gov.

Senior Assistant Attorney General Raymond Callery and Assistant Attorney General Kevin Barnai are handling the case for Raoul's Environmental Enforcement Division.

