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Department of Justice
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Honeywell Pleads Guilty in Illinois to Illegal Storage of Hazardous Waste

Corporation Sentenced to Pay $11.8 Million Criminal Fine

WASHINGTON – Honeywell International Inc. pleaded guilty today in federal district court in Benton, Ill., to one felony offense for knowingly storing hazardous waste without a permit in violation of the Resource Conservation and Recovery Act (RCRA). Honeywell was also sentenced today to pay a criminal fine in the amount of $11.8 million.

"Today, Honeywell must account for its knowing violation of a federal law that protects the public from exposure to hazardous waste containing radioactive material," said Ignacia S. Moreno, Assistant Attorney General for the Environment and Natural Resources Division of the Department of Justice. "All companies who generate hazardous waste must have a permit to store the waste and, when granted a permit under RCRA, must fully comply with its requirements or they will be prosecuted."

"The citizens of Southern Illinois should not and will not tolerate improper storage of hazardous wastes so near their homes and businesses," said Stephen R. Wigginton, U.S. Attorney for the Southern District of Illinois. U.S. Attorney Wigginton noted that he will "continue to seek out and prosecute environmental criminals on behalf of the residents of the Southern District of Illinois in order to insure the environmental safety of our communities."

"The defendant’s illegal storage practices put employees at risk of exposure to radioactive and hazardous materials," said Cynthia Giles, assistant administrator for EPA's Office of Enforcement and Compliance Assurance. "Today’s plea agreement and sentencing shows that those who try to circumvent the law and place people’s health and the environment at risk will be vigorously prosecuted."

Honeywell, a Delaware corporation with corporate headquarters in Morristown, N.J., owns and operates a uranium hexafluoride (UF6) conversion facility in Massac County, Ill., near the city of Metropolis and the Ohio River. Honeywell is licensed by the U.S. Nuclear Regulatory Commission to possess and otherwise manage natural uranium, which it converts into UF6 for nuclear fuel. The Metropolis facility is the only facility in the United States to convert natural uranium into UF6.

At the Metropolis facility, air emissions from the UF6 conversion process are scrubbed with potassium hydroxide (KOH) prior to discharge. As a result of this process, KOH scrubbers and associated equipment accumulate uranium compounds that settle out of the liquid and are pumped as a slurry into 55-gallon drums. The drummed material, called "KOH mud" and consisting of uranium and KOH, has a pH greater than or equal to 12.5.

In November 2002, Honeywell shut down part of the wet reclamation process it used to reclaim the uranium from the KOH mud, knowing that previously accumulated drums of KOH mud and any additional drums of KOH mud generated thereafter would have to be stored onsite until such time as the wet reclamation process was restarted. Honeywell also knew that, because the pH of KOH mud generated at the facility was greater than or equal to 12.5, it is classified as corrosive hazardous waste under regulations issued pursuant to RCRA. Therefore, Honeywell needed, but did not have, a RCRA permit to store any drums of KOH mud at its facility longer than 90 days.

In July 2007, Honeywell requested a modification of its RCRA permit from the Illinois Environmental Protection Agency (IEPA) so that they could store drums of KOH mud. IEPA issued Honeywell a modified permit in July 2008, allowing Honeywell to store drums containing KOH mud only in a KOH container storage area designed to contain any spills, leaks or precipitation that accumulates in the drum storage area. By September 2008, Honeywell had accumulated over 7,000 drums of KOH mud.
In April 2009, EPA special agents conducted a search warrant and found nearly 7,500 illegally stored drums containing waste that was both radioactive and hazardous. Honeywell began storing the KOH mud drums in compliance with the terms of its RCRA permit in approximately March 2010.

In accordance with the terms of the criminal plea agreement, Honeywell will serve a five-year term of probation. As a condition of probation, Honeywell must comply with the terms of the interim consent order entered into with the Illinois Attorney General’s Office and the Illinois Environmental Protection Agency, filed on April 21, 2010, and any subsequent revisions, which imposes a schedule for the processing of KOH mud. As a further condition of probation, Honeywell must implement a community service project in the community surrounding the Metropolis facility, whereby Honeywell will develop, fund and implement a household hazardous waste collection program and arrange for proper treatment, transportation and disposal of this waste collected during at least eight collection events over a two-year period, at a cost of approximately $200,000.

The case was investigated by the Environmental Protection Agency Criminal Investigation Division. It was prosecuted by Jennifer A. Whitfield and Susan L. Park of the Environmental Crimes Section of the Department of Justice Environment and Natural Resources Division and by William E. Coonan and Michael J. Quinley of the U.S. Attorney’s Office for the Southern District of Illinois.