



State wants East Side oil refinery closed

By Spencer Hunt

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The state is trying again to shut down an East Side refinery with a history of foul-odor complaints, including 200 incidents of state workers saying that the chemical leaks made them sick.

Officials with the Ohio Attorney General's Office and state Environmental Protection Agency said yesterday that they filed a request with Franklin County Environmental Court Judge Harland H. Hale to shutter Heartland Petroleum's used oil refinery at 4001 E. 5th Ave.

Hale has scheduled a hearing for Oct. 27.

The plant, which recycles used motor oil, opened in February 2009 and quickly became known for "rotten egg" and "burned rubber" odors that neighbors complained caused nausea, headaches and breathing problems.

The state wants the refinery closed until it can make repairs to stop the odors. The request follows four incidents from August through September in which the Ohio EPA claims pollutants escaped from refinery valves.

The agency also filed an affidavit that reported "roughly 200 incidents" since Aug. 1 that involved sick Ohio Department of Job and Family Services employees who work across the street from Heartland.

“Complaints have been on the rise,” said Erin Strouse, an Ohio EPA spokeswoman. “We’ve decided that this is the best course of action.”

The state tried to shut down the refinery last year as well. In an Aug. 19, 2010 hearing, Hale said the refinery could stay open while it made repairs.

He warned that he would order the plant shut down if there were any more odor complaints.

That lasted nine days. But instead of ordering a shutdown, Hale gave Heartland another chance, saying he feared putting roughly 80 refinery employees out of work.

“I want to try one last-ditch effort before I shut it down,” he said during hearing on Aug. 31, 2010.

Hale declined to comment yesterday.

Rob Schmidt, Heartland’s attorney, said the company will argue a shutdown isn’t warranted in part because pollutants escaped from valves that were not subject to Hale’s repair orders.

“We are attempting to do everything in our power to make this facility something that treats its neighbors well and is a good thing to have,” Schmidt said.

Heartland originally was hailed by state and local civic leaders as a new “green” industry because it would find new uses for old, discarded motor oil.

Strouse said that the refinery had made some progress before its most recent problems.

In June, environmental advocates with Ohio Citizen Action, which helped run a cleanup campaign with the refinery’s neighbors, praised Heartland for making improvements.

Rachael Belz, an Ohio Citizen Action program director, now said that a shutdown is warranted.

“Obviously the problem could not be fixed while the plant was working,” Belz said. “It seems like they’ve had a number of chances.”

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