



U.S. Department of Justice

United States Attorney

Eastern District of Pennsylvania

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615 Chestnut Street

Suite 1250

Philadelphia, Pennsylvania 19106-4476

(215) 861-8200

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### NEWS RELEASE

Chemical Equipment Labs, Inc. was charged today by Information<sup>1</sup> with a criminal violation of the Clean Water Act relating to its discharge of a pollutant without a permit into the Marcus Hook Creek on April 25, 2007, announced United States Attorney Zane David Memeger. CEL allegedly sold and distributed chemicals and chemical compounds, including industrial wastewater treatment and pool chemicals, ice melting products, oil lubricants and oil absorbents. It is alleged that CEL routinely repackaged solid and liquid chemicals, including chlorine and various acids, and transported liquid chemicals in 450- to 500-gallon plastic tanks mounted on flatbed trucks. The chemicals allegedly transported by CEL included sodium hypochlorite solution (chlorine), sodium bisulfate and caustic soda, also known as sodium hydroxide.

According to the information, the CEL parking lot had a manhole located near one of the truck loading bays in front of the facility, which was part of a storm sewer that collected rain water and snow melt from the parking lot and took it approximately 600 feet where it discharged via a culvert into Marcus Hook Creek, and then flowed downstream to the Creek's intersection with the Delaware River. It is alleged that CEL routinely washed the interior of 400- to 500-gallon plastic tanks used to ship liquid chemicals via truck to remove residual contamination prior to shipping different chemicals. This process allegedly generated chemical-contaminated waste water, and washing of these tanks occurred both at the parking lot and inside the facility.

On April 25, 2007, CEL employees allegedly rinsed the interior of the tank of a CEL truck that had been parked in a loading bay in front of the CEL facility, and which had been used to transport sodium hypochlorite (chlorine). According to the information, liquid from a valve on the truck had pooled near the truck and flowed into the manhole in the parking lot. As a consequence, the next day, April 26, 2007, the Marcus Hook fire and police departments allegedly responded to and notified EPA and the U.S. Coast Guard of a chemical spill into the Marcus Hook Creek. Sample results of the liquid coming from the truck, on the parking lot surface, and in the manhole, allegedly reflected pH levels ranging from 9 to 10.2 on a scale of 14, of which 7 is neutral. Each one-level

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<sup>1</sup>An Indictment or Information is an accusation. A defendant is presumed innocent unless and until proven guilty.

change in test results reflect a ten-fold increase in acidity or alkalinity. Thus, an 8 is 10 times more alkaline a 7; a 9 is 100 times more alkaline, and a 10 is 1,000 times more alkaline.

INFORMATION REGARDING THE DEFENDANT

NAME	ADDRESS	AGE OR YEAR OF BIRTH
Chemical Equipment Labs, Inc.	60 Walnut Street Marcus Hook, Pennsylvania	

If convicted, the defendant faces a maximum possible sentence of five years probation, a fine of \$200,000, and a \$125 special assessment.

The case was investigated by the U.S. Environmental Protection Agency Criminal Investigative Division and the U.S. Coast Guard Investigative Service. It is being prosecuted by Assistant United States Attorney John J. Pease.

**UNITED STATES ATTORNEY'S OFFICE  
EASTERN DISTRICT, PENNSYLVANIA  
Suite 1250, 615 Chestnut Street  
Philadelphia, PA 19106**

**Contact: PATTY HARTMAN  
Media Contact  
215-861-8525**

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