

July 9, 2021

**ATTORNEY GENERAL RAOUL AND WINNEBAGO COUNTY STATE'S ATTORNEY HANLEY FILE
LAWSUIT OVER CHEMICAL FACTORY FIRE**

Chicago — Attorney General Kwame Raoul and Winnebago County State's Attorney J. Hanley today filed a lawsuit against Chemtool Inc. (Chemtool) over a massive June 14 fire at its facility in Rockton, Illinois. The six-alarm fire burned for several days, caused explosions and prompted evacuations. Raoul and Hanley allege that the fire and efforts to control the fire resulted in smoke, particulate matter and unknown quantities of other contaminants being released into the environment.

Raoul and Hanley's [lawsuit](#) was filed in Winnebago County Circuit Court and alleges that Chemtool's actions pose a substantial danger to the public's health and welfare and the environment. The lawsuit also includes allegations of air and water pollution, creating a water pollution hazard, and unauthorized waste disposal. Raoul and Hanley allege that Chemtool is liable for damages and for the costs the state and Winnebago County have incurred in responding to the incident.

Chemtool's Rockton plant manufactures grease, lubricating oil and fluids, and more than 4 million gallons of crude oil were stored at the facility. Currently, the facility still houses four storage tanks holding approximately 100,000 gallons of petroleum product. The facility is located near residences and the Rock River. Raoul and Hanley allege that the large volume of petroleum product stored in containers that have been compromised by the fire pose a significant threat to land and the Rock River.

"The Chemtool fire rattled the community, displaced residents, and took the combined resources and efforts of several fire departments to get under control. Although the flames have been extinguished, the hazard posed to the public and the environment continues, and Chemtool owes the community more information," Raoul said. "My office, in collaboration with the Winnebago County State's Attorney's office will ensure that Chemtool is held responsible for evaluating the extent of the contamination and thoroughly remediating the damage."

"I am grateful for the thorough and swift investigation by the Illinois EPA and Attorney General Kwame Raoul," Hanley said. "I look forward to working with the Attorney General to protect Winnebago County's environment and the health of its citizens."

Raoul's lawsuit is based on referrals from the Illinois Environmental Protection Agency and the Illinois Emergency Management Agency.

"The catastrophic fire at the Chemtool facility resulted in significant impacts on local residents and the surrounding community," said Illinois EPA Director John Kim. "The action taken today by the Attorney General's office is an important step to ensure that the company is held responsible for the effects of the fire, which include conducting a thorough investigation and proper remediation."

"The Illinois Emergency Management Agency is dedicated to helping the residents of our state prepare for and respond to all natural, manmade or technological disasters, hazards or acts of terrorism," said IEMA Director Alicia Tate-Nadeau. "Responding to an incident of this nature puts our first responders at great risk and assumes a financial cost. This lawsuit seeks to reimburse the state for costs incurred from this disaster."

On the morning of June 14, a fire broke out and engulfed Chemtool's Rockton facility, causing several explosions and thick black smoke that could be observed many miles away from the facility. Health and safety concerns prompted evacuations of businesses and residents within a 1-mile radius of the facility, and

residents within three miles of the facility were told to wear masks when outside. Several fire departments in Illinois and Wisconsin responded to the fire, which burned for several days before the evacuation order was lifted on June 18.

According to Raoul and Hanley's lawsuit, the fire released ash, debris and other contaminants into the air, which landed on buildings, in residents' yards, and throughout the area. In addition, Raoul and Hanley allege that firefighting foam used to suppress the fire was found in the Rock River after a pump failure. Raoul and Hanley allege that the debris, ash and runoff from the fire and firefighting efforts are waste that was not properly disposed of, which poses environmental hazards.

Raoul and Hanley's lawsuit seeks to require Chemtool to assess the extent of the contamination, and take immediate corrective actions to address the release of pollutants to air, water and land. The lawsuit also seeks to compel Chemtool to take preventative actions to avoid the future release of pollutants, and pay civil penalties.

Assistant Attorneys General Kevin Garstka and Ellen O'Laughlin are handling the case for Raoul's Environmental Bureau. Civil Bureau Chief Lafakeria Vaughn is handling the case for the Winnebago County State's Attorney's office.