

# Intercontinental Terminals Company (La Porte, Texas) Fire: Texas Attorney General Files Lawsuit Alleging Violations of the Clean Air Act



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

03/25/2019

The Texas Attorney General (“AG”) filed a lawsuit in the District Court of Travis County, Texas (261st Judicial District) against Intercontinental Terminals Company, LLC (“ITC”) alleging violations of the Texas Clean Air Act. See No. D-1-GN-19-001593.

The lawsuit is filed on behalf of the Texas Commission on Environmental Quality.

The AG lawsuit is seeking injunctive relief and civil penalties in connection with a fire at ITC’s La Porte petrochemical storage site.

AG describes the ITC facility as a 265-acre site situated on the Houston Ship Channel. The company is stated to operate the site as an independent for-hire terminal that receives, stores, blends, and transfers petroleum products and segregated chemicals owned by external customers. It is further stated to consist of approximately 242 tanks that store various petrochemical liquids and gases. Further, it is stated to operate under a Title V Operating Permit, New Source Review Permit, and several Permit-by-rule registrations.

A fire which began on March 17th is stated to have caused the release of air contaminants. These are stated to include, but not be limited to, PM2.5, PM10, benzene, NOx, toluene, and xylene. The emissions and associated air contaminants are stated to be unauthorized by ITC’s permits or the Texas Commission on Environmental Quality.

The alleged violations include:

- Unauthorized Air Pollution at the Site
- Unauthorized Outdoor Burning at the Site
- Unauthorized Visible Emissions

AG seeks both injunctive relief and penalties.

A copy of the original Petition and Application for Injunctive Relief can be found [here](#).