

Texas petrochemical giant fined \$30 million for plant explosions in 2019

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On Tuesday, Texas Petrochemical Company (TPC Group) pleaded guilty to one criminal count of violating the Clean Air Act before the US District Court for Eastern Texas for its criminal negligence that led to its Port Neches plant experiencing two explosions in November 2019.

The devastating blasts, occurring 13 hours apart, left three workers injured and necessitated an emergency evacuation of more than 50,000 residents from the surrounding area. The impact of the blasts were reportedly felt as far as 30 miles away.

The TPC Group's Port Neches petrochemical facility is one of three plants the Houston-based corporation operates along the coast of the Gulf of Mexico. The company's other facilities are located in Houston and Lake Charles, Louisiana.

According to an investigation into the industrial disaster by the US Department of Justice, the explosions released more than 11 million pounds of extremely hazardous chemical substances, caused more than \$130 million in offsite property damage, and inflicted enormous impacts to human and environmental health.

The Port Neches facility is responsible for 20 percent of butadiene production in the US, a central ingredient in the manufacture of rubber. Butadiene is a colorless gas with a gasoline odor that is extremely flammable and known to cause respiratory illnesses and cancer if one is exposed to it for long periods without proper equipment.

For more than three months leading up to the explosions at the facility, a dangerous chemical material began to build up inside of a 16-inch diameter steel pipe critical to the facility's production, forming a highly pressurized and toxic "popcorn" that pushed against the pipe's walls. Finally, the pipe gave way to

tremendous pressure and exploded. The fierce explosions blasted from the plant after igniting 6,000 gallons of the highly flammable butadiene, stored in liquid form, in less than one minute, engulfing a large section of the facility in flames.

The criminal negligence of the company is demonstrated by its own internal report in 2016 that exposed TPC Group's foreknowledge of the hazardous threat posed by the popcorn polymer building up in the pipe. The report, categorized as an Internal Hazard Analysis, was conducted three years before the explosions in November 2019.

The report specifically documented the safety concerns at the Port Neches facility, which recommended periodic cleaning and flushing of the piping, warning of its potential dangers if not properly maintained.

The US Chemical Safety Board (CSB), a federal agency that conducts investigations of chemical incidents, concurred with the US Department of Justice investigation. With the conclusion of their inquiry of the 2019 incident, the CSB found that TPC Group willfully ignored the safety hazards of popcorn polymer build-up within the 16-inch pipe.

Steve Owens, the chair of the CSB, told media, "The incident at TPC was the result of a known safety hazard—popcorn polymer—that was poorly managed and controlled at the facility, the result was a catastrophic incident."

Illustrating TPC Group's flagrant disregard for public safety and health, the World Socialist Web Site documented in 2019 that the Port Neches facility had been in violation of carrying out what is termed as an "emission event" according to the Environmental Protection Agency (EPA). An emission event is when a production facility emits more air pollution than is

allowed by its permit, which the EPA declared TPC Group to be in violation in every quarter since 2017.

In pleading guilty, TPC Group released a statement: “TPC Group sincerely regrets the damage and disruption caused by the November 2019 incident at our Port Neches facility. Since the event, TPC Group has cooperated fully with all federal, state, and local investigations.”

As part of its guilty plea, TPC Group agreed to pay \$30 million in criminal and civil fines and penalties. Additionally, the company promises to invest \$80 million toward the improvement of the company’s risk management program and to improve safety issues at the Port Neches and Houston facilities.

TPC Group’s criminal negligence is hardly an isolated instance. The subordination of safety to profit concerns is the operating principal of Corporate America.

Recent years have brought several examples of big business’s criminal neglect of safety and health protocols, leading to one catastrophe after another.

In February 2023, a Norfolk Southern train carrying hazardous materials derailed near East Palestine, Ohio, causing 38 cars to tip over and spill their toxic contents. Emergency crews, acting at the behest of Norfolk Southern, carried out a controlled burn of the chemicals at the site. The fires blazed for two days, releasing concentrated amounts of hydrogen chloride and phosgene in the air.

The derailment came as a consequence of Norfolk Southern’s criminal negligence in conducting the routine maintenance necessary to ensure that its trains are in safe working order. An investigation by the National Transportation Safety Board (NTSB), determined the cause of the disaster to be a defective axle on one train car which, after overheating, caused a fire that led to the subsequent derailment.

After one of the worst environmental disasters in history, residents of East Palestine had to be evacuated, as fiery toxic chemicals poisoned the town of more than 4,600 residents. An investigation by *NewsNation* found that 80 percent of area residents within one mile of the disaster suffered from upper respiratory complications.

Norfolk Southern settled a \$600 million class action lawsuit in April, a sum that totals less than the railroad giant’s \$808 million in profits in the final quarter of last year, and is dwarfed by its total profits of \$8.08

billion for 2023.



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