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Utica Energy Ordered to Pay \$76,000 for Air Pollution Violations

FOR IMMEDIATE RELEASE:
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MADISON - Attorney General Peg Lautenschlager announced today that the Department of Justice has won \$76,000 in penalties from Utica Energy, LLC of Oshkosh (formerly known as Algoma Energy,), for air pollution violations.

The Winnebago County case went to trial in April and a hearing on penalties was held on November 11, 2005. In a decision and order, the court found Utica Energy liable on four of the counts charged, and imposed penalties totaling \$76,000 for the violations, which were corrected before trial.

According to the complaint, which was filed at the request of the Department of Natural Resources (DNR), Utica Energy commenced construction in March 2002, before the necessary permits were issued. The complaint asserted that Utica Energy failed to equip its storage tanks with emissions control equipment and loaded trucks without the required air pollution controls. Air pollutants emitted at Utica's plant include volatile organic compounds (VOCs) and benzene, a hazardous air pollutant.

"Utica Energy repeatedly constructed and operated facilities before the required permits and emissions control equipment were in place, resulting in excessive emissions of air pollutants," Lautenschlager said. "While the necessary air pollution control equipment has since been installed, the court agreed that penalties are warranted for Utica Energy's failure to comply with the permitting process."

Assistant Attorney General Shari Eggleston prosecuted the case for the State.



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