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ADEQ Reaches \$1,250,000 Settlement with Apache Nitrogen Products, Inc.

PHOENIX (Oct. 8, 2015) – Arizona Department of Environmental Quality (ADEQ) officials announced today that Apache Nitrogen Products, Inc. (ANPI), a nitric acid and ammonium nitrate-based products manufacturer in St. David, Cochise County, has settled with the State for years of past noncompliance with ANPI's air quality control permit issued by ADEQ.

ANPI will pay a \$500,000 civil penalty, and could be required to pay an additional suspended penalty up to \$750,000 if ADEQ documents additional significant violations in the next three years.

Between August 2010 and February 2015, ADEQ issued ANPI eight separate Notices of Violation related to production processes at two nitric acid production plants. Alleged violations included failing five emissions tests for ammonia and ammonium nitrate, the inability of the continuous emissions monitors for NOx (nitrogen oxide and nitrogen dioxide) to pass accuracy tests on four occasions, and failure to calibrate, maintain and operate a continuous opacity monitor.

“By holding Apache Nitrogen Products, Inc. accountable for its violations, the company has improved its operations, is now in compliance with its permit and public health and the environment are protected,” ADEQ Air Quality Division Director Eric Massey said.

ANPI has resolved the alleged violations and is now in compliance with the permit requirements.

The consent judgment is subject to court approval.

Background

According to the Agency for Toxic Substances and Disease Registry (ATSDR), NOx can damage respiratory airways and burn skin and eyes. Nitrogen dioxide also reacts with sunlight, which leads to formation of ozone and smog. ATSDR also states that exposure to high levels of ammonia can cause irritation and serious burns on the skin and in the mouth, throat, lungs, and eyes.

About ADEQ

Established by the Arizona Legislature under the Environmental Quality Act of 1986, the Arizona Department of Environmental Quality is the state agency responsible for protecting and enhancing public health and the environment of Arizona.

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