**Press Release**

The Human Rights Forum (HRF) calls for criminal prosecution of management of LG Polymers as well as officials of regulatory bodies for the criminal negligence that led to leak of toxic gas on May 7. The case registered against the LG Polymers must be pursued diligently and to the fullest extent rather than diluted as has always been the practice in the past.

HRF takes strong exception to the Chief Minister describing the LG Polymers as a ‘good company’ and a reputed multinational that adheres to norms! This is a company that is responsible for the death of 11 people, causing serious ill-health to hundreds of citizens, led to evacuation of thousands and unleashed horror on the city in the midst of a distressing lockdown. There is no basis for the ‘good’ reputation of this company. In April 2019, the South Korean government revealed that the company had fudged air pollution data to convey that it was compliant with air emission norms while in reality it had emitted the carcinogenic vinyl chloride chemical more than 173 times in excess of standards.

We do not even know, as yet, what the long-term health impacts on those in the RR Venkatapuram area who have inhaled the poison, is going to be. This is a company that was functioning, over many years, in open violation of basic environmental norms, a fact that it had even admitted in an affidavit in May last year to the State-level Environmental Impact Assessment Authority (SEIAA).

What has happened in Visakhapatnam on Thursday is a corporate crime. Any attempt to underplay, minimise or normalise this is disgraceful. Have we forgotten the monumental injustice of Bhopal over 35 years ago?

Since several decades, we have been witness to industries in and around the city flouting norms and not following safety guidelines. Regulatory bodies like the AP Pollution Control Board (APPCB) and Factory Inspectorate are willfully compromised and criminally pliant knowing fully well the dangers involved. Liability must also be fixed on town planning authorities for tolerating the operation and expansion of a large Red Category hazardous industry in close proximity to a densely populated residential area. Also, local communities have repeatedly petitioned the authorities to bring to light the environmental problems associated with the plant.

Dozens of people have died because of this wanton recklessness but till date there has been no accountability or criminal prosecution. Time and again, these crimes have been whitewashed, blatant lies and cover-ups resorted to, scapegoats found, compensation amounts doled out and matters closed. Consequently, there has been no deterrence and Visakhapatnam continues to be perched on an industrial tinderbox.

It is by now evident that LG Polymers is in contempt of The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 and the Environment (Protection) Act, 1986. Styrene is classified as a ‘hazardous and toxic chemical’ and even during a lockdown, such toxins require careful management and there are well laid out protocols for the same. Clearly, the management has been careless in the handling and storing of this highly reactive chemical and has given basic guidelines the go-by. It is also obvious that proper maintenance was not undertaken before operations were resumed. Serious questions remain as to why the plant was even accorded permission to resume operations after lockdown relaxations.

This incident has also shown up the pitiful state of on-site and off-site emergency plans and disaster control measures. Even at distances of over 15 km from the factory, the air had a pungent odour and residents came down with minor headaches on the forenoon of Thursday. Following rumours that there was yet another styrene vapour leak from the factory late Thursday night, hundreds of residents from the Gopalapatnam, Muralinagar, Madhavadhara and other nearby areas fled, some of them as far as Maddilapalem and the Beach Road. There was no help whatsoever forthcoming from the administration. In fact, residents of the city are even now groping in the dark with no proper official communication about the status of the situation.

Principles of absolute liability require that the company should pay for all expenses and compensation related to the incident, and any relief to the affected persons provided at taxpayers’ expense must be recovered from the polluter – i.e. LG Polymers. The APPCB must make public the data from the air quality monitors set up by the company, and must also reveal what evidence has been gathered in terms of air, water and soil samples, and urine/blood samples of exposed people.

Given that this is the first case worldwide of such a massive release of styrene, and the first recorded case of human fatality as a result of inhalation exposure to styrene, the Indian Council of Medical Research (ICMR) must be tasked with conducting a long-term health study of the exposed population to ascertain the evolution of morbidities over time. Styrene has been categorised as a ‘Probable Human Carcinogen’ by the International Agency for Research on Cancer.

It is learnt that the 15 workers present at the site at the time of the vapour leak were all casual workers. It is a known fact that in the name of labour reforms, labour rights, job security and onsite safety are being routinely compromised by the casualisation of the workforce. We demand that the Inspector of Factories independently register an FIR on the aspect of industrial safety lapses, and the labour department must proceed against the company for violation of labour laws. HRF feels that this should also be an opportunity to verify the workforces at all Red and Orange category industries to ensure that only permanent and trained staff are deployed for tasks of a routine and skilled nature.

HRF believes that the constitution of the committee set up by the State government to probe the issue is problematic and does not inspire confidence. We want a genuinely independent team of experts, including nominees of civil society, to inquire into and get to the bottom of this crime. The factory site must be immediately sealed and all records seized so as to obviate any tampering by management.

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**Visakhapatnam**