

Atchison's MGP Ingredients indicted for 2016 toxic gas cloud

**(KAIR)--Atchison-based MGP Ingredients was among two companies indicted Wednesday on federal charges of safety violations related to the October 2016 release of a toxic chlorine gas cloud.**

**According to the office of U.S. Attorney Stephen McAllister, Harcros Chemicals, Inc., of Kansas City, Kansas, was also indicted.**

**Both are charged with Clean Air Act violations that put the public in danger.**

**The release from McAllister says a web page, a phone line, and an email address, have been established for victims to provide and receive information on the case.**

**According to the [indictment](#), more than 140 people sought medical attention after 4,000 gallons of sulfuric acid combined with 5,800 gallons of sodium hypochlorite to form a toxic, greenish-yellow cloud that covered the City of Atchison for 45 minutes until emergency personnel arrived to turn off the flow.**

**The indictment alleges that on Oct. 21, 2016, a driver for Harcros pulled a truck into MGP's facility in Atchison to deliver sulfuric acid. An operator for MGP helped the driver access the transfer equipment. When the driver mistakenly connected the sulfuric acid line to the sodium hypochlorite line, toxic gas began to form.**

**The indictment alleges both men violated safety rules by failing to verify that the connection was correct and failing to monitor the transfer.**

**MGP addressed the indictment in a statement issued Wednesday evening.**

MGPI Processing, Inc., is reviewing this claim. The company has been focused on the Atchison community, our employees and cooperating fully with safety officials since this incident. In fact, the federal government agency responsible for chemical safety complimented MGPI's response. (Link included to this information:

[https://www.csb.gov/assets/1/17/csb\\_safety\\_spotlight\\_mgpi.pdf?16372](https://www.csb.gov/assets/1/17/csb_safety_spotlight_mgpi.pdf?16372))

**If convicted, the defendant companies face the following penalties:**

**Count one, violation of general duty clause: A fine up to \$500,000.**

**Count two, knowingly releasing a hazardous pollutant: A fine up to \$1 million.**

**Count three (alternate to count two), negligently releasing a hazardous pollutant:**

**A fine up to \$200,000.**

**The Environmental Protection Agency investigated. Assistant U.S. Attorney Rich Hathaway is prosecuting.**

**Victims can get more information on US v. Midwest Grain Products, Inc., by visiting <https://www.justice.gov/usao-ks/victim-witness> and filling out a victim questionnaire, leaving a message on a designated phone line at 913-551-6543 or emailing questions to [usaks.victim.witness@usdoj.gov](mailto:usaks.victim.witness@usdoj.gov) .**

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