

**August 24, 2021**

**ATTORNEY GENERAL RAOUL AND GRUNDY COUNTY STATE'S ATTORNEY FILE LAWSUIT OVER BATTERY WAREHOUSE FIRE**

**Chicago** — Attorney General Kwame Raoul and Grundy County State's Attorney Jason Helland today filed a lawsuit against Superior Battery, Inc. (Superior Battery) over a June 29 fire at its facility in Morris, Illinois. The fire burned for four days and prompted evacuations due to smoke irritation and potential toxic air emission releases from the lithium batteries stored at the facility.

[Raoul and Helland's lawsuit](#) was filed in Grundy County Circuit Court and alleges that Superior Battery's actions pose a substantial danger to the public's health and welfare and the environment. The lawsuit also includes allegations of air and water pollution, as well as unauthorized waste disposal.

Superior Battery's Morris warehouse held up to 90 tons of lithium batteries, as well as solar panels, lead and acid batteries, nickel cadmium batteries, roofing materials and other building and industrial materials, and is adjacent to a residential area. Additionally, because the city of Morris had not received a request for a business license that would allow Superior Battery to operate at the facility, the city did not know of the company's existence or what was inside the building until the fire occurred.

"The Superior Battery Fire not only displaced residents, but put their health and safety at risk and caused a significant threat to the environment," Raoul said. "My office, in collaboration with the Grundy County State's Attorney's office will work to hold Superior Battery responsible for the damage caused by its irresponsible actions and ensure that no further harm will be done to the environment or public's well-being."

Raoul's lawsuit is based on referrals from the Illinois Environmental Protection Agency (IEPA) and the Illinois Emergency Management Agency (IEMA).

"Our office was part of a broad State response to the dangerous fire at Superior Battery, a situation that posed serious health risks to nearby residents and created dangerous conditions for first responders," IEPA Director John Kim said. "The complaint filed by Attorney General Raoul and State's Attorney Helland will ensure that Superior Battery will be held responsible for the negative impacts to the environment by requiring necessary steps to remediate the situation and to prevent any such events in the future."

"The role of the Illinois Emergency Management Agency is to help the residents of our state and our local governments prepare for and respond to all natural, manmade or technological disasters, hazards or acts of terrorism," IEMA Director Alicia Tate-Nadeau said. "Responding to an incident of this nature puts our first responders at great risk and assumes a financial cost. This lawsuit seeks to reimburse the state for costs incurred from this incident."

On June 29, a fire broke out in a Morris warehouse owned and operated by Superior Battery, prompting the evacuation of up to 4,000 residents, which lasted for four days. The evacuation was meant to protect residents from the release of toxic air emissions from lithium batteries, including hydrogen fluoride (HF), volatile organic compounds (VOC) and particulate matter (PM) that cause eye, nose, throat, and skin irritation; coughing, shortness of breath, increased asthma symptoms, or pulmonary edema; and cardiovascular effects such as an irregular heartbeat or heart attack. People with existing heart or lung disease and older adults are more sensitive to these adverse effects.

According to Raoul and Helland's lawsuit, air monitors recorded two exceedances of the Public Health Screening Standard for VOC levels at two separate locations, PM levels that were exceeded at least nine times at six separate locations, and HF present in at least one location. Additionally, airborne debris from the fire, including ash and other unknown material, landed on buildings and the ground, as well as residences, yards and mailboxes in the vicinity. Raoul and Helland also allege that fire debris and toxic air emissions were discharged from the site into the surrounding neighborhood, reaching the sanitary sewer and the storm water system that discharges to the I & M Canal. Raoul and Helland also allege that toxic emissions and fire debris will continue to be released from the site into the environment, causing a substantial danger to the public's health and welfare, as well as the environment.

Raoul and Helland's lawsuit seeks to require Superior Battery to take immediate corrective actions to address the release of pollutants to air, water and land. The lawsuit also seeks to require Superior Battery to take preventative actions to avoid the future release of pollutants, and pay civil penalties.

Assistant Attorneys General Arlene Haas and Nancy Tikalsky are handling the case for Raoul's Environmental Bureau.

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