

Bayer CropScience abandons plan to restart production of toxic Bhopal chemical in W.Va.

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CHARLESTON, W.Va. — Bayer CropScience said Friday it is abandoning plans to resume production in West Virginia of a toxic chemical that killed thousands of people in Bhopal, India, in the world's deadliest industrial disaster.

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Bayer broke the news during a federal court hearing in a lawsuit brought by residents seeking to stop the company from restarting the unit that produces methyl isocyanate. The chemical typically known as MIC killed about 15,000 people and sickened about a half-million when it leaked from a former Union Carbide plant in Bhopal in 1984.

Bayer halted MIC production at the plant in Institute last summer. Bayer uses methyl isocyanate to manufacture pesticide at the plant and had hoped to resume production before the 2011 growing season.



"I'm skeptically ecstatic," lead plaintiff Maya Nye said after the hearing.

Her lawyer, William DePaulo, said the West Virginia plant is "safer today than it was yesterday." The operation is about 10 miles west of Charleston in the state's heavily populated Kanawha Valley.

Bayer decided Thursday it would not restart production because it faced at least a one-month delay because of an ongoing federal Occupational Safety and Health Administration inspection, lawyer Al Emch told Chief U.S. District Judge Joseph Goodwin.

"Our business case was based on our ability to supply the market needs beginning in 2011, and with the recent delays, that plan is no longer economically viable," Achim Moack, a member of Bayer CropScience's board of management, said in a statement.

The plant in Institute is the only one in the nation that still stores MIC in large volumes. Bayer originally planned to phase out MIC use at the plant in mid-2012. MIC is used to produce Temik, a pesticide that Bayer has agreed to stop selling under an agreement with Environmental Protection Agency.

The latest wave of concern about the Institute plant started with an explosion that killed two workers in 2008. The blast involved a unit that uses MIC as a component in another chemical. Bayer announced in January it would restart the renovated unit.

Residents responded with the lawsuit. Bayer argued that it already had significantly reduced the risks of an accident, slashing its MIC stockpile by 80 percent and eliminating all aboveground storage.

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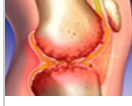
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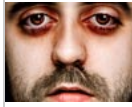
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