



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Clean Water Act Enforcement: U.S. Environmental Protection Agency and Crockett, California Sugar Refinery Enter into Consent Agreement

10/29/2025

The United States Environmental Protection Agency ("EPA") and C&H Sugar Company, Inc. ("CH") entered into an October 27th Consent Agreement and Final Order ("CAFO") addressing alleged violations of the Clean Water Act. See Docket No. CWA-09-2026-0002.

The CAFO provides that CH owns/operates a sugar refinery in Crockett, California which receives raw sugar for refining from ocean faring ships that dock at the facility.

The facility is stated to utilize:

...a mobile gantry leg crane with bucket elevator systems that extend into a ship's hull and transport the raw cane sugar onto a conveyor system which transfers the raw cane sugar over open water between the vessel and dock to the Facility's storage silo. A basket filter overflow structure located at the northeast corner of the Facility's dock treats wastewater generated at the dock during washdowns of equipment and the conveyor segment that is located over the dock. In addition, the entire dock is connected to a drain system that goes to a "sweetwater" (a mixture of sucrose and water) holding tank and recovery system for reprocessing in the Facility's refinery. The sweetwater holding tank is located on the dock and has an overflow outlet.

The facility's discharges to the Carquinez Strait of pollutants are regulated under a National Pollutant Discharge Elimination System Permit ("Permit") to both CH and Crockett Community Services Districts.

Representatives of EPA and the RWQCB are stated to have inspected the facility on September 13, 2020, which is alleged to have documented several areas of concern including:

- Inadequate BMPs, such as incomplete berming and insufficient protection of the conveyer belt from the elements, resulting in fine particulate fugitive sugar falling into the Carquinez Strait from the conveyor system and also drifting to and reaching the neighboring Crockett Cogeneration Plant where it could potentially discharge to the Carquinez Strait;
- Leaking hydraulic oil from one of the gantry crane bucket elevator systems to the Carquinez Strait located directly below; and
- A basket filter system with an open top indicating an overflow and discharge of wastewater to the Carquinez Strait located directly below.

Information is stated to have indicated that CH partially submerging the facility's gantry crane and one of the gantry crane bucket elevator systems, both of which had visible fugitive sugar on their surfaces, in the

Carquinez Strait on October 7 and 31, 2022. The basket filter is stated to have been overflowing and discharging wastewater to the Carquinez Strait on October 31, 2022.

CH is stated to have provided a written report of an unauthorized discharge of 250 gallons of sweetwater containing 662 pounds of sucrose to the Carquinez Strait that resulted from an overflow of the Facility's sweet water collection tank.

The pollutants discharged from the facility's gantry cranes, conveyor system, bucket elevator system, and the sweetwater holding tank, which include fugitive sugar, hydraulic fluids, and sucrose, are "pollutants" as defined by the Clean Water Act. Further, they are stated to be a point source.

The CAFO states that based on EPA's review of available information, CH violated Section 301(a) of the Clean Water Act by discharging pollutants directly to the Carquinez Strait, a water of the United States, in violation of this statutory provision, from the facility's conveyor system on at least September 13, 2022; the gantry crane and gantry crane bucket elevator system on at least October 7 and 31, 2022; and from the sweet water collection tank on June 27, 2023.

The CAFO assesses a civil penalty of \$128,500.00.

A copy of the CAFO can be downloaded [here](#).