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Title VI Civil Rights Complaint/Port Arthur, Texas, Petroleum Coke Production Facility: Environmental Integrity Project August 18th Letter to U.S. Environmental Protection Agency

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The Environmental Integrity Project and Lone Star Legal Aid (collectively "EIP") submitted an August 18th Title VI Civil Rights Act of 1964 ("Title VI") Complaint to the United States Environmental Protection Agency ("EPA") on behalf of the Port Arthur Community Action Network.

The Complaint addresses the Oxbow Calcining, LLC ("Oxbow") anode/industrial calcined petroleum coke production facility ("Facility") in Port Arthur, Texas.

The focus of the Complaint is the Texas Commission of Environmental Quality's ("TCEQ") issuance/renewal of a Title V Federal Operating Permit for the Facility. EIP alleges that the permit was issued without an adequate New Source Review.

The Oxbow Facility is stated to be a direct and indirect contributor of particulate matter pollution in West Port Arthur. The Facility is stated to be located directly adjacent to the West Port Arthur neighborhood. The neighborhood is described as a low-income, minority neighborhood subject to:

. . . high levels of air pollution from nearby major industrial facilities.

The issuance of the Title V Federal Operating Permit is alleged to violate Title VI causing disparate impacts to residents of the West Port Arthur neighborhood based on race and the allowance of exceedances to the National Ambient Air Quality Standards for SO₂ because:

- No Best Available Control Technologies will be required
- Absence of effective compliance plan

The EIP asks that EPA pursuant to the Complaint investigate whether the TCEQ has violated and/or continues to violate Title VI through its actions approving the renewal of the Oxbow Federal Operating Permit. Also requested is that EPA take what are described as various remedial actions. Ten requested actions are listed in the Complaint.

A copy of the August 18th EIP letter can be downloaded [here](#).