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Air Enforcement: United States/State of Louisiana/Enter into Consent Decree with Rubber Manufacturing Facility Operator Addressing Alleged Violations

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The United States Department of Justice (“DOJ”) and Louisiana Department of Environmental Quality (“LDEQ”) entered into a Consent Decree (“CD”) with Firestone Polymers, LLC (“Firestone”) addressing alleged Clean Air Act and other statutory violations. See *United States District Court for the Western District of Louisiana*, Civil No. 21-c-v-03464.

The CD addresses a Firestone synthetic rubber manufacturing facility in Sulfur, Louisiana.

The CD resolves a Complaint that had been filed on behalf of DOJ and LDEQ against Firestone alleging violations of the Clean Air Act.

The alleged Clean Air Act violations involved the Firestone facility:

- Emitting excess amounts of:
- Nitrogen oxides
- Carbon monoxide
- Volatile organic compounds
- Particulate matter
- Sulfur dioxide
- Hazardous air pollutants
- Failure to comply with requirements related to equipment including:
- Dryers
- Cooling towers
- Flares
- Leak detection repair
- Mechanical integrity
- Monitoring reporting

The Complaint also alleged violations of the following federal and Louisiana statutes:

- Comprehensive Environmental Response, Compensation, and Liability Act
- Emergency Planning and Community Right-to-Know Act
- Pollution Prevention Act

- Louisiana State Air Pollution Control requirements

The CD assesses a civil penalty of \$2,098,678.50. Further, Firestone must complete a Beneficial Environmental Project in Louisiana by funding ambient air monitoring system upgrades in several Southwest Louisiana locations.

The CD also requires that Firestone meet:

- Emission limits
- Operating maintenance requirements
- Equipment controls

CD provisions also provide for limiting hazardous air pollutants from facility dryers, conducting inspections of heat exchangers, installing controls and monitors on covered flares, and installing a flaring instrumentation monitoring system.

The CD notes that Firestone undertook certain actions after being notified of the alleged violations – but prior to the CD being lodged. Such compliance measures are stated to have included:

- Installing and operating a regenerative oxidizer system to receive waste gases from dryers
- Reducing n-hexane solvent concentrations
- Inspecting and testing heat exchangers

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