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Title V Objection/Clean Air Act: Environmental Integrity Project Petition Addressing Jefferson County, Texas, Calcined Coke Manufacturing Facility

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The Environmental Integrity Project and Port Arthur Community Action Network (collectively, "EIP") filed a document before the United States Environmental Protection Agency ("EPA") Administrator styled:

Petition to Object to Response to Objection for Title V Permit No. 01493 Issued by the Texas Commission on Environmental Quality ("Petition")

The *Petition* objects to a proposed Title V Operating Permit ("Proposed Permit") issued by the Texas Commission on Environmental Quality ("TCEQ") to Oxbow Calcining LLC authorizing the operation of the Oxbow Calcining Plant ("Plant") located in Jefferson County, Texas.

The Plant has been described as a calcined coke manufacturing facility.

The TCEQ Permit is stated to have been issued to address EPA's June 14, 2022, Order objecting to the renewal of the Plant's Title V Permit. EIP claims that the proposed TCEQ Permit fails to resolve EPA's prior objection. As a result, the *Petition* argues that EPA should object to the proposed TCEQ Permit and then revise it to resolve the deficiencies that TCEQ is alleged to have failed to correct.

42 U.S.C. § 7661d(A) requires that states submit each Title V Operating Permit to EPA for review. The federal agency has 45 days to object to the issuance of the permit if it determines it is not in compliance with the applicable requirements of the Clean Air Act. If EPA does not object to a permit, the Clean Air Act provides that any person may petition the EPA Administrator, within 60 days of the expiration of the 45-day review, to object to the permit. If EPA does not object to the permit, Section 505(b)(2) provides that any person may petition the EPA Administrator, within 60 days of the expiration of the 45-day review period, to object to the permit.

The *Petition* describes the Plant as a major source of criteria air pollutants.

EIP objects on the basis that:

- The Proposed Permit Fails to Resolve EPA's Objection that the Permit Fails to Include Monitoring and Recordkeeping Provisions Sufficient to Ensure Compliance with Sulfur Dioxide National Ambient Air Quality Standards.
- Specific Grounds for Objection, Including Citation to Permit Term

- Applicable Requirement of Part 70 Requirement Not Met
- Inadequacy of the Permit Term
- The Proposed Permit Fails to Resolve EPA's Objection that the Permit Fails to Establish Monitoring, Testing, and Recordkeeping Provisions that Assure Compliance with Lead and Volatile Organic Compound Limits from Kiln Stacks 2,3, 4, and 5 in NSR Permit No. 45622.
- Specific Grounds for Objection, Including Citation to Permit Term
- Applicable Requirement of Part 70 Requirement Not Met
- Inadequacy of the Permit Term

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