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Air/Water Enforcement: Conservation Law Foundation Citizen Suit Action Addressing Quincy, Massachusetts, Fatty Acid/Glycerin Manufacturing Facility

09/08/2023

The Conservation Law Foundation (“CLF”) filed on August 14th a Complaint for Declaratory and Injunctive Relief and Civil Penalties (“Complaint”) against Twin Rivers Technologies, Inc., and Twin Rivers technologies Manufacturing Corporation (collectively, “Twin Rivers”) alleging violations of the Clean Water Act and Clean Air Act.

The Complaint was filed in the United States District Court for the District of Massachusetts pursuant to the citizens suit enforcement provisions of the Clean Water Act and Clean Air Act.

Twin Rivers is stated to own and operate a fatty acid and glycerin manufacturing facility in Quincy, Massachusetts (“Facility”).

The Facility is stated to be subject to a Clean Water Act National Pollutant Discharge Elimination System Permit (“NPDES Permit”).

Discharges from the facility are stated to include stormwater and non-contact cooling water into the Weymouth Fore River and Town River Bay. Such discharges are alleged to have violated the NPDES Permit by:

1. Violating the NPDES Permit’s numeric effluent limitation for temperature;
2. Violating the NPDES Permit’s numeric effluent limitation for flow rate;
3. Violating the NPDES Permit’s numeric effluent limitation for oil and grease;
4. Violating the Massachusetts’ Surface Water Quality Standards;
5. Violating the NPDES Permit’s narrative effluent limitations;
6. Violating the NPDES Permit’s requirements to make necessary modifications to all Best Management Practices (“BMPs”) and control measures in its Stormwater Pollution Prevention Plan (“SWPPP”); and
7. Violating the NPDES Permit’s requirement to monitor temperature.

The Facility is also stated to be subject pursuant to the Clean Air Act of:

- A Title V Operating Permit
- The June 2015 Air Quality Plan Approval
- The October 2015 Amended Air Quality Plan Approval

The Facility is alleged to have repeatedly emitted air pollutants in a manner that violates the terms of the Title V Permit and previously referenced plan approvals in at least the following ways:

- 1) Exceeding numeric emission limits for carbon monoxide (“CO”);
- 2) Exceeding numeric emission limits for nitrogen oxides (“NOx”);
- 3) Exceeding numeric emission limits and operational requirements for volatile organic chemicals (“VOCs”);
- 4) Failing their biennial emissions compliance testing;
- 5) Causing or contributing to conditions of air pollution; and
- 6) Failing to immediately take appropriate steps to abate nuisance conditions.

CLF alleges that absent an appropriate order from the United States District Court for the District of Massachusetts that the facility is likely to repeat its violations of the Clean Water Act and Clean air Act.

The Complaint seeks declaratory judgment, injunctive relief, and civil penalties with respect to the alleged violations.

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