

Title V/Clean Air Act: Sierra Club Petition to Object Filed Addressing Hopewell, Virginia Chemical Manufacturing Facility



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Five non-profit organizations filed a Clean Air Act Title V Petition to Object (“Petition”) before the United States Environmental Protection Agency (“EPA”) related to the AdvanSix Resins and Chemicals LLC (“AdvanSix”) chemical manufacturing facility (“Facility”).

The five organizations filling the petition include:

- Chesapeake Bay Foundation.
- Mothers Out Front.
- Sierra Club.
- Falls of the James Group.
- Virginia Interfaith Power & Light.

(Collectively “Petitioners”).

The Facility is stated to be located in Hopewell, Virginia and owned by AdvanSix.

AdvanSix is described in the Petition as one of the largest producers of caprolactam. Caprolactam is described as a feedstock for nylon polymer used in carpet fibers, plastics, and films.

The Title V Petition objects to a Title V Permit renewal issued by the Virginia Department of Environmental Quality (“VDEQ”) for the Facility.

Title V of the Clean Air Act requires certain stationary sources of air pollution to obtain Operating Permits. States or other governmental entities that administer Title V do so through adopted implementation plans. These plans are submitted to and approved by EPA. The intent of a Title V Permit is to organize in a single document all the requirements which apply to the Permit holder.

42 U.S.C. § 7661 requires that states submit each proposed Title V Permit to EPA for review. Section 505(v)1 of the Clean Air Act requires that EPA object to the issuance of a proposed Title V Permit in writing and within 45 days of receipt of the proposed Permit (and all necessary supporting documentation) if the federal agency determines it was not in compliance with the applicable requirements of the Clean Air Act.

If EPA does not object to a Permit, § 505(v)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 Title V Permit issued to the AdvanSix Facility constituted a renewal of the Permit previously issued on October 1, 2014.

Petitioners object to the Title V Permit renewal based on the following alleged grounds:

- Failure to provide the public with requisite emissions information needed to identify applicable requirements and assess the adequacy of the draft Permit's monitoring requirements.
- Failure to assure compliance with applicable requirements because it lacks adequate periodic monitoring and testing requirements.
- Failure to provide its rationale for why the Permit's monitoring is sufficient to assure the Facility's compliance with applicable requirements, further impairing the public's ability to evaluate the adequacy of the draft Permit's monitoring requirements.
- VDEQ unreasonably and arbitrarily refused to hold a public hearing on the AdvanSix Title V permitting action, ignoring significant public interest.

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