

Title V/Clean Air Act: Petition to Object Filed Addressing Allegheny County, Pennsylvania Resins Manufacturing Facility



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Environmental Integrity Project and other organizations filed a September 20th Title V Petition to Object (“Petition”) before the United States Environmental Protection Agency (“EPA”) Administrator related to Neville Chemical Company (“Neville”).

The Title V Petition objects to the Allegheny County Health Department (“ACHD”) issuance of a Title V Permit for a resins manufacturing facility located in Allegheny County, Pennsylvania.

The other environmental organizations joining the Petition include:

- Clean Air Council.
- PennFuture.
- Food & Water Watch.

(Collectively, “Petitioners”).

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 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 Petition describes the Neville facility as manufacturing synthetic hydrocarbon resins, plasticizers, and plasticizing oils. It is stated to be a major source of volatile organic compounds. Further, it is stated to be a minor source of the following:

- Particulate matter.
- Particulate matter <10.
- Particulate matter <2.5

- Nitrogen oxides.
- Sulfur oxides.
- Hazardous air pollutants.

ACHD is stated to have published a Notice of Intent to issue a Renewal Permit on February 1st. Petitioners are stated to have filed timely comments and therefore the Petition is timely.

The Petitioners argue that their objection focuses on an allegation that the Permit fails to include sufficient monitoring, testing, recordkeeping, and reporting requirements sufficient to assure compliance with all applicable requirements of the Clean Air Act. They allege that the Permit fails to require:

...adequate monitoring, testing, recordkeeping, and reporting requirements to assure compliance with both short-term and long-term emission limits applicable to numerous emission units at the facility...

Those emission units are identified in the Petition.

The specific arguments include:

1. Each permit issued under Part 70 must set forth testing, monitoring, reporting, and recordkeeping requirements sufficient to assure compliance with all of the permit's terms and conditions.
2. The Renewal Permit fails to include adequate testing, monitoring, recordkeeping, or reporting requirements sufficient to assure continuous compliance with the hourly and long-term emission limits for PM, NO_x, SO_x, CO, VOC, and HAPs from P001 (heat polymerization stills and thermal oxidizer).
3. The Renewal Permit fails to include adequate testing, monitoring, recordkeeping, or reporting requirements sufficient to assure continuous compliance with the hourly and long-term emission limits for PM, CO, VOCs, SO_x, and NO_x at Boilers No. 6 and 8 (B013 and B012 respectively).
4. The Renewal Permit fails to include adequate testing, monitoring, recordkeeping, or reporting requirements sufficient to assure continuous compliance with the hourly and long-term emission limits for PM, NO_x, CO, VOCs, HAPs, and SO_x at the six Still Process Heaters (B001, B002, B003, B004, B015, and B006) and the three Packaging Center Heaters (B009, BO10, and BOU).
5. The Renewal Permit fails to include adequate testing, monitoring, or reporting requirements sufficient to assure continuous compliance with the hourly and long-term emission limits for VOCs and HAPs at Unit 20/21 (P006) and the #3 Continuous Still (P008).

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