

Citizen Suit Actions/Clean Water Act: Environmental Integrity Project Files Lawsuits Against Two Louisiana Petroleum Coke Plants



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

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The Environmental Integrity Project (“EIP”) filed a Clean Water Act citizen suit action in the United States District Court for the Western District of Louisiana against the following:

- RAIN CII CARBON, LLC. – Sulfur, Louisiana.
- REYNOLDS METALS COMPANY, LLC. – Lake Charles, Louisiana.

The citizen suit describes the two facilities as petcoke calcining facilities.

The citizen suit actions were filed in the form of two Complaints for Declaratory and Injunctive Relief and Civil Penalties (“Complaints”).

The Complaints allege that the facilities reported pursuant to the Emergency Planning and Community Right-to-Know Act the discharge of certain pollutants in their effluent wastewater. Further alleged their alleged failure to inform the Louisiana Department of Environmental Quality about such pollutants in the effluent. Therefore, the citizen suit alleges that the facilities:

1. Violated the Clean Water Act by discharging pollutants without permit authorization.
2. Violated the National Pollutant Discharge Elimination System (NPDES) Permit by failing to comply with its requirement that “[w]here the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.”

A copy of the [Rain](#) and [Reynolds](#) Complaints can be found here.