Title V/Clean Air Act: Petition to Object Filed Addressing Mobile, Alabama, Chemical Production Plant

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Greater-Birmingham Alliance to Stop Pollution ("GASP") filed a Title V Petition to Object before the United States Environmental Protection Agency ("EPA") Administrator related to UOP, LLC Mobile Plant ("UOP").

The Title V Petition objects to the Alabama Department of Environmental Management ("ADEM") reissuance of a proposed Title V operating permit for the Mobile Plant.

Title V of the Clean Air Act requires certain stationary sources of air pollution to obtain Operating Permits. It requires that states administer Title V 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 the 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 the receipt of the proposed permit (and all necessary supporting information) if the federal agency determines it is not in compliance with the applicable requirements of the Clean Air Act. If EPA does not object to a permit, Section 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 UOP Mobile Plant is described as a:

A chemical production plant that produces synthetic materials to be used as adsorbents and/or catalyst in various manufacturing applications.

Emissions are stated to include:

- Particulate matter
- Carbon Monoxide
- Nitrogen Oxides

Petitioner GASP is described as a non-profit health advocacy organization fighting for healthy air and environmental justice in the greater-Birmingham area through education, advocacy, and collaboration.

Specific objections raised in the Petition include:

I. The Draft Permit is deficient because many conditions are incorporated from UOP Mobile Plant's original air permit, which was not cited as the source of the conditions nor made available to the public for

review (p. 8)

A. ADEM fails to meaningfully engage with Petitioner's comments regarding specific permit deficiencies (p. 10)

B. The statement of basis lacks substantive information required for public review (p. 25)

II. ADEM has not shown that monitoring requirements in Draft Permit are consistent with the applicable requirements therein (p. 28)

A. ADEM fails to adequately respond to Petitioner's assertion that the Draft Permit lacks sufficient information to demonstrate compliance with the requisite monitoring conditions (p. 30)

A copy of the Petition can be downloaded here.