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St. Charles Parish Bulk Liquids Storage Facility/Louisiana Department of Environmental Quality: Refined Community Empowerment Files Petition for Judicial Review Challenging Air Permit Authorizing Expansion

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Refined Community Empowerment ("RCE") filed a September 28th Petition for Judicial Review ("Petition") in the 19th Judicial District Court challenging the Louisiana Department of Environmental Quality's ("LDEQ") decision granting a Part 70 Operating Title V Air Permit Renewal and Modification Permit ("Air Permit") to International-Matex Tank Terminal, LLC ("IMTT").

The Permit Modification is described in the Petition as authorizing the expansion of IMTT's bulk liquids storage facility in St. Charles Parish, Louisiana.

The Air Permit is stated to authorize the addition of a number of bulk liquid storage tanks. 15 of the storage tanks are stated to store methanol, crude oil, and petrochemical products that emit volatile organic compounds ("VOCs"). Construction of four large ammonia storage tanks and related equipment that emit ammonia are also stated to be authorized.

The Petition alleges that LDEQ failed to perform analyses required by the Clean Air Act and Louisiana air laws. It further alleges that LDEQ:

... concluded that the project would not trigger PSD review, would not violate the NAAQS, and would comply with Louisiana toxic air pollutant standards, yet the administrative record lacks the emissions information and modeling necessary to support those conclusions.

LDEQ is alleged to have:

- Failed to account for all emissions associated with the project.
- Never performed the analysis necessary to determine whether the modification was minor or major.
- Never determined whether PSD review was required or whether the project's emissions would cause or contribute to a violation of the National Ambient Air Quality Standards ("NAAQS").

LDEQ is stated to have concluded, based on a screening analysis, that ammonia emissions from the new tanks and related equipment would comply with Louisiana's Ambient Air Standards for toxic air pollutants. It is alleged that the administrative record does not contain any such screening analysis, any

underlying calculations, or any explanation or demonstration of why no additional modeling was required. This is alleged to mean that the record does not provide a rational basis for LDEQ's conclusions regarding ammonia impacts from the approved construction of the tanks and associated equipment.

The Petition asks the Court to reverse LDEQ's decision and vacate the Air Permit.

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