PSD/Clean Air Act: Sierra Club State Court Judicial Petition Challenging Ascension Parish Steel Mill Permit



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Sierra Club and RISE St. James Louisiana (collectively, "Sierra Club") filed a November 20th Petition for Judicial Review ("Petition") in the Louisiana 19th Judicial District Court/Parish of East Baton Rouge challenging the Louisiana Department of Environmental Quality's ("LDEQ") granting of an extension to the commencement of construction deadline for a Clean Air Act Prevention of Significant Deterioration ("PSD") and Part 70 Operating Permit issued to Hyundai-POSCO Louisiana Steel LLC ("HPLS").

The Petition states that the PSD and Title V Operating Permit address HPLS's proposed construction and operation of an integrated iron and steel production facility in Ascension Parish, Louisiana.

The Petition initially argues in part:

- The Permits would authorize the facility to emit substantial quantities of:
- Greenhouse gases
- Nitrogen oxides
- Particulate matter
- Carbon monoxide
- Lead
- Mercury
- Ammonia
- Area around the planned facility already bears a toxic air pollution burden greater than 96% of the rest of the country, and ranks high across a range of environmental and socioeconomic indicators.

Sierra Club further contends that the Permits must be vacated for the following reasons:

- LDEQ did not conduct a proper environmental justice analysis.
- LDEQ did not give full and careful consideration to mitigation measures like electrified components and green hydrogen.
- LDEQ did not assess any environmental costs in the cost-benefit analysis, nor adequately evaluate feasible pollution-reducing alternatives and mitigation measures.
- LDEQ's Best Available Control Technology ("BACT") analysis was issued without conducting and documenting the case-by-case analysis required for evaluating electrified technologies or incremental blending of green hydrogen.
- LDEQ's conclusion that the HPLS plant will not cause or contribute to exceedances of the ozone National Ambient Air Quality Standards by relying on the Dutchtown neighborhood-scale ozone monitor rather than the closer Carville regional-scale monitor is incorrect.

A copy of the Petition can be found here.