

Clarice E. Gaylord, Director
Environmental Protection Agency
Office of Environmental Justice
1200 Pennsylvania Avenue
Room 2226 / 2201A
Washington, D.C. 20004

December 13, 1996

Dear Dr. Gaylord,

Our local citizens recently had a bad experience at a public hearing for the Title V permit application of Shintech and Its Affiliates. Title V permits, as they are commonly called, are the new air permits required under Title V of the 1990 Clean Air Act amendments. Public hearings are discussed in Section 504(d) of Title V. Delegation for reviewing and approving Title V permit applications was subsequently delegated to the state of Louisiana by the EPA. In doing this the EPA approved state laws that also require public hearings.

The public hearing was held on December 9, 1996, in Convent, Louisiana at 6:00 PM. The hearing was conducted by Louisiana's Department of Environmental Quality (DEQ). There were over 300 people in attendance, with 150 people representing the interests of Shintech, the applicant, and over 150 citizens opposing approval of Shintech's application. The DEQ proceeded to conduct the hearing in a very biased manor favoring the applicant and attempting to shut out the views of the citizens. DEQ did this by allowing only speakers favoring the approval of Shintech's application to speak in the first 90 minutes of the hearing. In the next 60 minutes a few citizens were allowed to speak, but the majority of speakers still represented Shintech. The result was that citizens with views against the Shintech application didn't get to speak until late into the night, with the hearing lasting until after 1:00 AM. Citizens who arrived at 5:30 weren't allowed to speak until after 11:30 PM. This is in contrast to speakers in favor of Shintech's permit application who didn't arrive until after 5:30 PM, but were able to speak before 7:30!

The DEQ clearly worked closely with Shintech to stack the pro application speakers at the beginning of the public hearing with no regard for the citizens who strongly protested this arrangement. These pro-Shintech speakers were also able to speak as long as they wanted to. After citizens began speaking, the DEQ set a five minute limit on the time each speaker had to address the public hearing. This time limit was only enforced by DEQ on speakers opposed to Shintech's application. This was a very poor attempt by the DEQ to have what should have been an impartial public hearing on a permit application.

The application is for a new facility that would be built near Convent, Louisiana. Shintech proposes to build the world's second largest polyvinyl chloride production facility there. According to the permit application this facility would be the leading emitter of vinyl chloride in the state of Louisiana. Vinyl chloride is a known carcinogen and a terrible human toxin. The site for the proposed facility is in an area with a predominately minority population that is in Louisiana's renowned "Cancer Alley". Within two miles of the proposed location of the polyvinyl chloride plant the population is over 80% minority.

We are writing to obtain the help of the EPA's Office of Environmental Justice. Specifically we would like the EPA to make Louisiana's DEQ conducted another, unbiased public hearing concerning Shintech's Title V permit application. This action would be fair and just. We also would like the EPA to take steps to ensure that subsequent Title V hearings conducted by the DEQ will be fair and unbiased.

Unfortunately the DEQ has conducted this public hearing in a manner significantly favoring the applicant. It is our belief that no actions by the concerned people of Louisiana will rectify the problems that occurred at the Shintech public hearing or stop these same problems from happening again. We strongly feel that the EPA has a duty and a responsibility to resolve these problems in our state. We hope that you can help us.

Sincerely,

Marylee Orr

cc: Nick Stone, EPA Region VI