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North St. Louis Resident Challenges the Missouri Department of Natural Resources’ Failure to Issue an Air Pollution Permit to Mallinckrodt

ST. LOUIS, MO: Great Rivers Environmental Law Center, on behalf of North St. Louis City resident Doug Eller, filed a Complaint with the Missouri Administrative Hearing Commission against the Missouri Department of Natural Resources (“MDNR”) for its failure to issue a Clean Air Act, Title V, Part 70 Air Pollution Control Operating Permit to Mallinckrodt, Inc., which prevents local residents from participating in the regulatory process and commenting on impacts to the air they breathe.

According to documents received by MDNR, Mallinckrodt submitted an application in 1997 to the agency for the permit, yet twenty years later, MDNR has never issued the permit. Mallinckrodt is one of the largest emitters of air pollutants in the City of St. Louis, including large quantities of sulfur dioxide (SO_x), nitrogen oxides (NO_x), particulate matter of 10 microns or less, particulate matter of 2.5 microns or less, carbon monoxide, volatile organic compounds, hazardous air pollutants, and greenhouse gases.

“The failure of MDNR to perform its mandatory duty issue a Part 70 Permit to Mallinckrodt for twenty years is an egregious violation of the Clean Air Act and Missouri Air Conservation Act,” said Great Rivers Environmental Law Center’s Staff Attorney, Bob Menees. “The location of the facility in an environmental justice community in North St. Louis City begs the question of whether MDNR believed that no one would ever speak up.”

Doug Eller and Great Rivers hope that the Complaint will require MDNR to issue the required permit to Mallinckrodt and, more importantly, that the community will be given an opportunity to comment on the outcome of the neighborhood air.

Great Rivers is a nonprofit public interest environmental law firm in St. Louis that provides free and reduced-fee legal services to those working to protect the environment and public health. Its web address is: www.greatriverslaw.org.