



June 19, 2026

Louisiana Department of Environmental Quality

*Via email to heather.alexander@la.gov, deq.publicnotices@la.gov*

**Comments on Hyundai Steel Louisiana, LLC Title V Permit and PSD Permit Application, Agency Interest No. 248885**

Please accept these comments on Hyundai’s permit application from Sierra Club and its Delta Chapter. Sierra Club submits this comment to address the failures in Hyundai-POSCO Louisiana Steel LLC’s public trust analysis – specifically, its initial environmental justice analysis as well as the removal of the environmental justice analysis from its revised air permit application.

The area along the Mississippi River between New Orleans and Baton Rouge has long been known as “Cancer Alley,” where many communities are predominantly African American and many residents attribute elevated cancer and other illness to toxic industrial air emissions.<sup>1</sup> Louisiana contains roughly one-sixth of nationwide petroleum refining capacity and is the second-largest chemicals-exporting state in the United States, and the Baton Rouge-New Orleans industrial corridor contains a disproportionate share of industrial facilities reporting releases to EPA’s Toxic Release Inventory.<sup>2</sup>

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<sup>1</sup> Public Health on Call, *Louisiana’s ‘Cancer Alley’ Is More Deadly Than Previously Imagined* (Aug. 4, 2025), Public Health, <https://publichealth.jhu.edu/2025/the-shocking-hazards-of-louisianas-cancer-alley>.

<sup>2</sup> E.S. Robinson, A. Yassine, S. Agarwal, M.W. Tehrani, S.N. Lupolt, A.A. Chiger, C. Gigot,

Ascension Parish is part of this broader industrial corridor and is itself home to numerous major manufacturers that produce chemicals, plastics, fertilizers, and other products.<sup>3</sup> Research and emissions data demonstrate that communities in southeastern Louisiana, including Ascension Parish, face disproportionate environmental health burdens, including elevated cancer risk from hazardous air pollutants.<sup>4</sup>

Hyundai's initial application included a brief and insufficient environmental justice analysis that summarized proximity screening for schools, hospitals, churches, and residences, and relied on Environmental Justice Index and Supplemental Environmental Justice Index rankings within a limited radius.<sup>5</sup> Although that analysis was deficient, it did disclose that the area surrounding the proposed facility already bears significant air pollution, including ranking in the 96<sup>th</sup> percentile for toxic releases to air, which estimates average annual chemical concentrations in the air for an area.<sup>6</sup> Louisiana's public trust doctrine and Louisiana caselaw require more than a narrow screening exercise for a new facility located in Cancer Alley. A proper environmental justice analysis must identify the affected communities, evaluate existing environmental and health burdens, quantify the project's additional emissions and impacts, separately consider reasonably foreseeable nearby projects, and explain whether additional

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<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Hyundai Steel Louisiana, LLC, Initial Title V Permit and PSD Permit Application, AI No. 248885 (December 23, 2025), at pdf 145, [hereinafter "Application"], available at <https://edms.deq.louisiana.gov/app/doc/view?doc=15036873>.

<sup>6</sup> Application at pdf. 146; U.S. Environmental Protection Agency (EPA), EJScreen Technical Documentation (2024), 19-20, <https://www.epa.gov/system/files/documents/2024-07/ejscreen-tech-doc-version-2-3.pdf>.

mitigation or stricter limits are necessary to avoid or minimize adverse impacts.

Hyundai's May 27, 2026 application update states that it removed the environmental Justice analysis altogether, without providing any explanation.<sup>7</sup> Though Hyundai's initial analysis was inadequate, removing the analysis altogether is improper.

Sierra Club will continue to update and provide LDEQ with additional resources concerning what a legally and technically adequate environmental justice analysis should include. Sierra Club submits this comment now to emphasize its objection to the inadequacies of the environmental justice analysis Hyundai submitted with its initial project application and to Hyundai's recent removal of that analysis from the revised application. In order to fulfill its public trust obligations, LDEQ should require Hyundai to provide a complete, updated, and project-specific environmental justice analysis, or LDEQ should conduct its own analysis.

#### **I. LDEQ's Constitutional Obligations as Public Trustee**

Louisiana Constitution article IX, § 1 establishes the public trust doctrine, which mandates that “[t]he natural resources of the state, including air and water,” be “protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people,” and directs the legislature to “enact laws to implement this policy.” In furtherance of that mandate, the legislature created and established LDEQ as the primary state agency charged with environmental protection and regulation.<sup>8</sup> LDEQ has jurisdiction over matters affecting regulation of the environment in Louisiana, including regulation of air quality.<sup>9</sup> LDEQ also has authority delegated from the United States Environmental Protection Agency (EPA) to enforce and implement certain federal environmental standards, including air-emissions

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<sup>7</sup> HPLS Air Permit Application Updates, AI 248885, May 27, 2026, 1 (“May 27 Addendum”).

<sup>8</sup> See La. R.S. 30:2011; *Matter of American Waste & Pollution Control Co.*, 93-3163 (La. 9/15/94), 642 So. 2d 1258, 1262.

<sup>9</sup> La. R.S. 30:2011; see also La. R.S. 30:2051 et seq.

requirements.

Before LDEQ grants approval for any proposed action affecting the environment, including an air permit, LDEQ must determine that adverse environmental impacts have been minimized or avoided as much as possible consistent with the public welfare.<sup>10</sup> *Save Ourselves, Inc. v. Louisiana Environmental Control Commission* describes this obligation as a “rule of reasonableness” requiring a balancing process in which environmental costs and benefits receive “full and careful consideration along with economic, social and other factors.”<sup>11</sup> The court recognized that environmental costs may outweigh economic and social benefits in some circumstances, while in others they may not.<sup>12</sup>

Louisiana courts have translated *Save Ourselves* into the “IT Questions,” which require LDEQ’s written findings and reasons for decision to address: (1) whether the potential and real adverse environmental effects of the proposed project have been avoided to the maximum extent possible; (2) whether the cost-benefit analysis demonstrates that the project’s social and economic benefits outweigh its environmental-impact costs; and (3) whether alternative projects, alternative sites, or mitigating measures would offer more protection to the environment without unduly curtailing non-environmental benefits.<sup>13</sup>

Environmental justice forms part of that mandatory public trust inquiry, not an optional supplement. In *Rise St. James*, the First Circuit held that LDEQ’s public trust duty under Louisiana Constitution article IX, § 1 requires LDEQ to meaningfully consider environmental

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<sup>10</sup> *Save Ourselves, Inc. v. Louisiana Environmental Control Commission*, 452 So. 2d 1152, 1157 (La. 1984) (“*Save Ourselves*”).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *In re Shintech, Inc.*, 2000-1984 (La. App. 1st Cir. 2/15/02), 814 So. 2d 20, 25, writ denied, 815 So. 2d 845; *In re Rubicon, Inc.*, 95-0108 (La. App. 1st Cir. 2/14/96), 670 So. 2d 475, 483.

justice impacts as part of its *Save Ourselves*/IT analysis.<sup>14</sup> LDEQ cannot merely utter the words “environmental justice”; it must give full and careful consideration to whether the project’s impacts will fall disproportionately on communities already burdened by industrial pollution and must explain how that consideration affects the agency’s public trust findings.

Under the first IT Question, LDEQ must always determine whether adverse environmental impacts have been avoided to the maximum extent possible. Where proposed impacts would fall on communities with numerous industrial facilities already in their area and on their fence lines, that duty requires LDEQ to evaluate at least three related questions: what additional adverse impacts the Hyundai project would impose; what existing adverse environmental and health burdens already affect the surrounding communities; and what additional impacts from reasonably foreseeable nearby projects LDEQ must separately consider to understand whether the proposed permit would impose disproportionate burdens. LDEQ also must consider available mitigating measures and stricter permit limits that could reduce those impacts.

## **II. LDEQ Must Conduct a Project-Specific Environmental Justice Analysis for the Proposed Hyundai Steel Plant.**

- a. LDEQ must first assess the additional adverse impacts imposed by the Hyundai project.

LDEQ should begin its environmental justice analysis describing the impacts specific to the proposed Hyundai project. The draft permit would authorize a new major industrial source with substantial annual emissions of criteria pollutants and related precursors. LDEQ must identify and assess the pollutants and pathways of exposure that matter for nearby communities,

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<sup>14</sup> *Rise St. James v. La. Dep't of Env't Quality*, 2023-0578 (La. App. 1 Cir 01/19/24), 383 So. 3d 956, 962.

including direct emissions of criteria pollutants and hazardous air pollutants, emissions of nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOCs) that contribute to ground-level ozone, fugitive dust and particulate matter from material handling and storage, and impacts associated with water use, wastewater, stormwater, waste handling, and other project components identified by the application and amendments, draft permit, and technical comments. Hyundai's revised application materials also identify additional process changes and emissions estimates, including new ammonia scrubbers, changes to particulate-matter controls for the Skin Pass Mills, revised NO<sub>x</sub> limits for certain units, revised material throughputs, and revised modeling assumptions.<sup>15</sup> The revised materials recognize that the ammonia emissions from the steel mill will be significant and exceed 46,949 pounds per year, far exceeding the corresponding Minimum Emission Rates to comply with state Maximum Achievable Control Technology standards.<sup>16</sup> Those changes further underscore the need for LDEQ to conduct an updated environmental justice analysis tied to the actual facility LDEQ is considering.

Hyundai and LDEQ cannot satisfy Louisiana's public trust requirements merely by relying on the area's NAAQS attainment status or on modeling that predicts compliance with regulatory thresholds. Hyundai's application states that Ascension Parish is in attainment for all criteria pollutants and that modeling will determine whether modeled impacts are below SILs or require full impacts analysis for NAAQS and PSD increment.<sup>17</sup> The May 27, 2026 addendum further states that Hyundai is refining the regional inventory for full impacts analyses for 1-hour NO<sub>2</sub>, annual NO<sub>2</sub>, and 24-hour PM<sub>2.5</sub> because modeled impacts for those pollutant/averaging-period combinations exceed the SIL.<sup>18</sup> Regulatory compliance and ongoing modeling do not

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<sup>15</sup> See May 27 Addendum at 1-4.

<sup>16</sup> May 27 Addendum at pdf 29.

<sup>17</sup> May 27 Addendum at pdf 27-28.

<sup>18</sup> *Id.* at 3.

replace LDEQ's independent public trust analysis.

The public trust doctrine imposes a substantive and procedural balancing obligation: LDEQ must give full and careful consideration to environmental costs, public-health risks, social and economic benefits, alternatives, and mitigation. NAAQS attainment does not mean there is no health risk to people living, working, worshiping, or attending school near industrial facilities, and it does not address whether environmental justice communities experience disproportionate burdens. Nor does a modeled NAAQS demonstration, by itself, evaluate cumulative vulnerability, existing health burdens, localized exposure pathways, episodic releases, multi-pollutant exposures, or whether feasible mitigation could further reduce harm.<sup>19</sup>

Courts and EPA have recognized that compliance with regulatory limits does not automatically establish that impacts are insignificant or nondiscriminatory.<sup>20</sup> Along with the courts, the EPA has also recognized that criteria air pollutants may cause harm to human health at levels *below* the NAAQS and may have disproportionate adverse effects on those living closest to the pollution source.<sup>21</sup> Indeed, the Clean Air Act states that one purpose of the

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<sup>19</sup> David R. Brown et al, *Human exposure to unconventional natural gas development: A public health demonstration of periodic high exposure to chemical mixtures in ambient air*, *Journal of Environmental Science and Health*, at 461 (Mar. 3, 2015), <https://doi.org/10.1080/10934529.2015.992663>.

<sup>20</sup> See *Friends of Buckingham v. State Air Pollution Control Bd.*, 947 F.3d 68, 91–92 (4th Cir. 2020) (By relying on state and national air quality standards, “the Board failed to grapple with the likelihood that those living closest to the Compressor Station . . . will be affected more than those living in other parts of the same county. . . [T]he Board’s failure to consider the disproportionate impact on those closest to the Compressor Station resulted in a flawed analysis.”); *LaFleur v. Whitman*, 300 F.3d 256, 270 (2d Cir. 2002) (“Congress has recognized that there are potentially adverse [e]ffects from air pollution at levels *below* the NAAQS”) (emphasis in original); *N. Carolina ex rel. Cooper v. TVA*, 593 F. Supp. 2d 812, 821–22 (4th Cir. 2009) (finding that “PM2.5 exposure has significant negative impacts on human health, even when the exposure occurs at levels at or below the NAAQS.”), *rev’d on other grounds*, 615 F.3d 291 (4th Cir. 2010).

<sup>21</sup> Env’t Prot. Agency, External Civil Rights Compliance Office, Toolkit, at 12–13 (Jan. 18, 2017), (available at <https://perma.cc/J7TW-VXH4>) (“The fact that the area is designated as in attainment with the NAAQS and that the recent permitting record shows that emissions from the

Prevention of Significant Deterioration program is “to protect public health and welfare from any actual or potential adverse effect which . . . may reasonably be anticipate[d] to occur from air pollution or from exposures to pollutants in other media . . . *notwithstanding attainment and maintenance of all national ambient air quality standards.*”<sup>22</sup>

In general, a five-kilometer radius, the radius utilized in Hyundai’s December 2025 environmental justice analysis, is too limited for assessing all operational impacts of a facility that would emit large volumes of NO<sub>x</sub> and VOCs. Those pollutants are precursors to ground-level ozone, a regional pollutant that forms in the atmosphere and can travel many miles from its source.<sup>23</sup> LDEQ should therefore require Hyundai to assess both localized impacts on nearby fence line communities and regional impacts from ozone-forming emissions. At minimum, LDEQ should evaluate the area of impact identified by Hyundai’s PSD modeling for pollutants above the significant impact levels (SIL), and it should expand the environmental justice analysis to the communities affected by the full impacts analysis for NO<sub>2</sub>, PM<sub>2.5</sub>, and any other pollutant or averaging period for which modeled impacts exceed the SIL. Hyundai’s May 27, 2026 addendum reports modeled impacts above the SIL for 1-hour NO<sub>2</sub>, annual NO<sub>2</sub>, and 24-hour PM<sub>2.5</sub>, and states that Hyundai is refining the regional inventory contribution for full impacts analyses.<sup>24</sup>

Without this required analysis, LDEQ cannot issue this draft permit, and further information is required and published for public review outlining the impacts from this project

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facility would not cause a violation of the NAAQS would be insufficient by themselves to find that no adverse impacts are occurring for purposes of Title VI [of the Civil Rights Act of 1964] and other federal civil rights laws.”)

<sup>22</sup> 42 U.S.C. § 7470(1) (emphasis added).

<sup>23</sup> EPA, “What is Ozone?” (June 6, 2025), available at <https://perma.cc/4DLR-J663> (Ozone “is transported hundreds of miles downwind from where it is created to affect ambient air quality in other urban and rural areas.”)

<sup>24</sup> See May 27 Addendum at 3-4.

on nearby environmental justice communities.

- b. LDEQ must assess existing environmental and health burdens in the surrounding communities.

The proposed Hyundai facility would add substantial harmful air emissions to communities that are already severely burdened by industrial air pollution. LDEQ cannot determine whether the impacts of the proposed facility have been minimized, whether the benefits outweigh the environmental costs, or whether additional mitigation is required without first understanding the burdens that already exist.

Using the same screening tool Hyundai invoked in its December 2025 Application, a five-kilometer radius surrounding the Hyundai project location shows that more than 41 percent of the community is Black or African American, 9 percent is Hispanic or Latino, and that the surrounding community is already burdened by significant pollution.<sup>25</sup> LDEQ should disclose and analyze the relevant EJScreen and EJAM indicators and percentiles for the affected area, including demographic indicators, air toxics cancer risk, respiratory hazard, particulate matter, ozone, traffic proximity, hazardous-waste proximity, proximity to Risk Management Plan facilities, wastewater discharges, and other relevant environmental-burden metrics. LDEQ should also explain why it chose each radius or geographic unit and should evaluate any community that may experience project emissions or related traffic, dust, water, or emergency-response burdens.

The existing-burdens analysis should identify and discuss specific studies, data sources, and nearby sources rather than merely referring generally to “available data.” LDEQ should

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<sup>25</sup> EJAM, EJScreen Community Report, June 2026, available at <https://ejamapi-84652557241.us-central1.run.app/report?lon=-91.01419&lat=30.170598&buffer=3.10686>.

review and summarize, at minimum, EPA’s Toxic Release Inventory, LDEQ air-permit and enforcement records, monitoring data, and peer-reviewed research on the Baton Rouge-New Orleans industrial corridor. Relevant studies include *Uneven Magnitude of Disparities in Cancer Risks from Air Toxics*,<sup>26</sup> which examined race- and income-based disparities in Cancer Alley air-toxics cancer risks; *Air Pollution Is Linked to Higher Cancer Rates Among Black or Impoverished Communities in Louisiana*,<sup>27</sup> which analyzed relationships among toxic air pollution, race, poverty, and cancer incidence across Louisiana; and *Ethylene Oxide in Southeastern Louisiana’s Petrochemical Corridor: High Spatial Resolution Mobile Monitoring During HAP-MAP*,<sup>28</sup> which used mobile monitoring to assess hazardous air pollutant exposure in southeastern Louisiana’s petrochemical corridor.

Specific existing sources warrant discussion. LDEQ should identify and analyze emissions from CF Industries’ Donaldsonville Nitrogen Complex, BASF’s Geismar Chemical Complex, and other major Geismar and Donaldsonville facilities because those sources form the baseline against which nearby residents would experience Hyundai’s additional emissions. LDEQ should not merely list those facilities; it should identify their permitted and actual emissions, enforcement history, monitoring data, and cumulative contribution to air toxics, criteria pollutants, odors, accident risk, and other burdens relevant to the surrounding communities.

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<sup>26</sup> W. James, C. Jia, S. Kedia, Uneven magnitude of disparities in cancer risks from air toxics, *Int J Environ Res Public Health*, (2012), available at <https://pubmed.ncbi.nlm.nih.gov/23208297/> .

<sup>27</sup> K.A. Terrell and G. St. Julien, *Air pollution is linked to higher cancer rates among black or impoverished communities in Louisiana* (2022), *Environ. Res. Lett.* 17 014033, available at <https://iopscience.iop.org/article/10.1088/1748-9326/ac4360>.

<sup>28</sup> E.S. Robinson, et al., *Ethylene Oxide in Southeastern Louisiana’s Petrochemical Corridor: High Spatial Resolution Mobile Monitoring during HAP-MAP*, *Environmental Science & Technology* (2024), available at <https://repository.library.noaa.gov/view/noaa/68504>.

- c. LDEQ must separately consider reasonably foreseeable planned projects near the Hyundai site.

LDEQ should also separately consider reasonably foreseeable planned projects in and near the RiverPlex MegaPark because those projects may add to the burdens faced by the same communities. This analysis is distinct from the existing-burdens baseline: existing facilities show the current conditions into which Hyundai would be permitted, while planned projects show whether LDEQ is authorizing Hyundai in the context of additional reasonably foreseeable industrialization. Public materials describe RiverPlex MegaPark as a roughly 17,000-acre industrial megasite on the west bank of the Mississippi River in Ascension Parish, with industrial infrastructure and proximity to existing operations. LDEQ should place the available applications, draft permits, final permits, and emissions information for these projects into the Hyundai record, identify any information gaps, and require additional information before making final public trust findings.

At minimum, LDEQ should evaluate the planned CF Industries Blue Point Complex, the related Linde air-separation unit, the Clean Hydrogen Works/Ascension Clean Energy project, and NEMO Industries' proposed pig-iron facility to the extent permit applications, draft permits, final permits, economic-development materials, or other public records disclose their expected emissions, operations, location, or pollution-control measures. Because several of these projects have active LDEQ air-permit records or detailed public project announcements, LDEQ should not evaluate Hyundai's emissions in isolation. It should address these planned projects in its environmental justice and public trust analysis and should explain how their emissions and discharges, together with existing industrial sources, impact the mitigation and permit-limit analysis for Hyundai.

LDEQ has publicly noticed a proposed Initial Part 70 Air Operating Permit and Prevention of Significant Deterioration permit for CF Industries Blue Point LLC's Low Carbon Ammonia Plant.<sup>29</sup> The facility would be located at LA Highway 405 and Noel Road in Modeste, Ascension Parish. CF Blue Point requested authorization to construct and operate a low-carbon ammonia manufacturing facility with a production capacity of 4,400 tons per day.<sup>30</sup> The CF Blue Point public notice lists the facility's permitted annual emissions as 14.12 tons per year of PM<sub>10</sub>, 9.70 tons per year of PM<sub>2.5</sub>, 0.80 tons per year of SO<sub>2</sub>, 296.67 tons per year of NO<sub>x</sub>, 581.63 tons per year of CO, and 37.30 tons per year of VOC.<sup>31</sup> Those emissions are important for Hyundai's public trust and environmental justice analysis because they reflect another major proposed source near the same affected communities, with nearly 300 tons per year of NO<sub>x</sub> and more than 580 tons per year of CO, in addition to particulate matter, SO<sub>2</sub>, and VOC emissions. LDEQ should therefore address the CF Blue Point emissions in addition to existing baseline conditions.

LDEQ has also publicly noticed a proposed Initial Part 70 Air Operating Permit, PSD permit, associated Environmental Assessment Statement, and draft LPDES water-discharge permit for Clean Hydrogen Works LA-1, LLC's Ascension Clean Energy project.<sup>32</sup> The facility would be located at 5323 LA Highway 405 in Donaldsonville, Ascension Parish, on a 1,700-plus-acre site, and would include up to six identical ammonia trains with a capacity of 3,600

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<sup>29</sup> Louisiana Department of Environmental Quality, Public Notice, CF Industries Blue Point LLC - Low Carbon Ammonia Plant, Public Hearing and Request for Public Comment on Proposed Initial Part 70 Air Operating Permit, PSD Permit & Associated Environmental Assessment Statement (Nov. 18, 2025), AI 149544, Permit Nos. 0180-00237-V0 and PSD-LA-859, available at <https://edms.deq.louisiana.gov/app/doc/view?doc=14999843>.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> Louisiana Department of Environmental Quality, Public Notice, Clean Hydrogen Works LA-1, LLC / Ascension Clean Energy Project, Public Hearing and Request for Public Comment on Proposed Initial Part 70 Air Operating Permit, PSD Permit, EAS, and Draft Water Discharge Permit (Mar. 26, 2025), AI 238769, Permit Nos. 0180-00235-V0, PSD-LA-858, and LA0127739, available at <https://edms.deq.louisiana.gov/app/doc/view?doc=14697577>.

metric tons per day each.<sup>33</sup> The public notice further states that the project targets capture of up to 98 percent of generated CO<sub>2</sub> and would export ammonia by ship for marine fuel, fertilizer, and hydrogen-generation applications.<sup>34</sup> The Ascension Clean Energy public notice lists permitted air emissions of 111.91 tons per year of PM<sub>10</sub>, 95.61 tons per year of PM<sub>2.5</sub>, 13.96 tons per year of SO<sub>2</sub>, 215.59 tons per year of NO<sub>x</sub>, 221.44 tons per year of CO, 21.29 tons per year of VOC, 399,633 tons per year of CO<sub>2e</sub>, 2.25 tons per year of total VOC toxic air pollutants, and 144.394 tons per year of total non-VOC toxic air pollutants.<sup>35</sup> This pollution is directly relevant to the proposed Hyundai project because it represents another large industrial source proposed for the same general area, with substantial particulate matter, NO<sub>x</sub>, CO, greenhouse gas, and toxic-air-pollutant emissions.

LDEQ should not merely note that each individual project may meet its own permit limits; it should explain whether the combined reasonably foreseeable emissions from Hyundai, Ascension Clean Energy, CF Blue Point, and any related supporting units would impose disproportionate pollution burdens on nearby communities. Taken together, these planned projects show why Hyundai’s environmental justice analysis cannot stop at narrow project-only screening.

The nearby proposed Linde ASU and NEMO Ironworks I project add further foreseeable industrialization pollution burdens, but the currently located public materials do not clearly disclose LDEQ permit status or emissions values for those projects.<sup>36</sup> LDEQ should close those

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<sup>33</sup> *Id.* at 1.

<sup>34</sup> *Id.*

<sup>35</sup> *Id.* at 1-2

<sup>36</sup> Louisiana Economic Development, “Linde Announces New Investment to Support Blue Ammonia Plant at RiverPlex MegaPark” (June 23, 2025), *available at* <https://www.opportunitylouisiana.gov/news/linde-announces-new-investment-to-support-blue-ammonia-plant-at-riverplex-megapark>; NEMO Industries, “NEMO Industries Announces Plans to Develop \$3 Billion NEMO Ironworks I, Phase One of the World’s Most Efficient Pig Iron

information gaps and evaluate these projects separately from existing baseline burdens. Without that analysis, LDEQ cannot determine whether Hyundai's additional impacts have been avoided or minimized to the maximum extent possible, whether the project's benefits outweigh its environmental costs, or whether additional permit limits and mitigation are necessary to protect nearby environmental justice communities.

- d. LDEQ must require feasible mitigation and the strictest emission limits needed to avoid or minimize harm.

The obligation to avoid or minimize adverse environmental impacts applies regardless of whether baseline conditions are already severe. Severe existing burdens make the need for careful mitigation analysis even more urgent, but they are not the source of LDEQ's mitigation duty. Under *Save Ourselves* and the IT Questions, LDEQ must consider whether mitigating measures would offer more protection to the environment without unduly curtailing non-environmental benefits.

LDEQ should therefore evaluate the mitigation and control measures identified by technical experts and public commenters, including electrification of equipment, incremental use of green hydrogen, covering or enclosing storage piles and material-handling areas and trucks, enhanced fugitive-dust controls, enforceable monitoring and reporting requirements, fence-line and community monitoring, enforceable malfunction and startup/shutdown limits, and the strictest achievable emission limits for pollutants of concern.<sup>37</sup> Sierra Club's previous comments

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Facility, in Ascension Parish, Louisiana," Business Wire (Oct. 23, 2025), *available at* <https://www.businesswire.com/news/home/20251023606352/en/NEMO-Industries-Announces-Plans-to-Develop-%243-Billion-NEMO-Ironworks-I-Phase-One-of-the-Worlds-Most-Efficient-Pig-Iron-Facility-in-Ascension-Parish-Louisiana>.

<sup>37</sup> See Sierra Club Comments on Hyundai Steel Louisiana, LLC Title V Permit and PSD Permit Application, Agency Interest No. 248885 (Feb. 12, 2026), *available at* <https://edms.deq.louisiana.gov/app/doc/view?doc=15109264>, Sierra Club Comments on Hyundai

estimated that if Hyundai electrified components of steel finishing operations at the plant, the company could reduce the proposed facility's greenhouse gas emissions by a total of 39.5%—over 764,000 tons annually—and NOx by 33.38% and volatile organic compounds by 25.2%—while potentially saving \$2.7 million per month in operating costs.<sup>38</sup> Green hydrogen would also significantly reduce the facility's total annual greenhouse gases and health-harming combustion emissions. LDEQ should require Hyundai to explain whether each measure identified in public comments is technically feasible, what emissions reductions it would achieve, and why any rejected measure is not required.

Hyundai's own revisions demonstrate why LDEQ must consider mitigation in a transparent and enforceable way. The May 27, 2026 addendum states that Hyundai added ammonia scrubbers, revised NOx controls for the Reheat Furnace to reflect 95 percent control via SCR, and changed the Skin Pass Mill particulate-matter control device from a baghouse to a wet scrubber and mist eliminator.<sup>39</sup> Those changes show that design and control decisions remain fluid and that additional and stricter mitigation may be feasible. LDEQ should require Hyundai to evaluate the specific mitigation measures proposed in Sierra Club's technical comments and should make enforceable permit limits reflect any reductions that LDEQ relies on in its public trust findings.

- e. The Hyundai project would disproportionately impact nearby environmental justice communities unless LDEQ conducts the required analysis and imposes

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Steel Louisiana, LLC Title V Permit and PSD Permit Application, Agency Interest No. 248885 (Apr. 1, 2026), available at <https://edms.deq.louisiana.gov/app/doc/view?doc=15153331>, and Sierra Club Comments on Hyundai Steel Louisiana, LLC Title V Permit and PSD Permit Application, Agency Interest No. 248885 (May 4, 2026), available at <https://edms.deq.louisiana.gov/app/doc/view?doc=15196730>.

<sup>38</sup> *Id.*

<sup>39</sup> May 27 Addendum at 1-4.

adequate mitigation.

The record as currently described shows that the proposed Hyundai facility would add substantial pollution to communities already facing significant industrial burdens. Ascension Parish contains a dense concentration of industrial facilities, and studies and emissions data demonstrate elevated air-toxics and cancer-risk concerns in the region. Because the surrounding communities include a substantial Black or African American population and communities already affected by industrial pollution, LDEQ must assess whether the Hyundai permit would impose disproportionate impacts before issuing any final permit.

Hyundai's draft analysis does not satisfy that duty. It does not adequately evaluate Hyundai-specific emissions and pathways, existing pollution burdens, reasonably foreseeable nearby projects, the limits of NAAQS-based reasoning, or feasible mitigation measures. Hyundai's removal of the environmental justice analysis from the revised application makes that deficiency worse, not better. Without that analysis—and without public disclosure of the information needed to evaluate it—LDEQ cannot make the findings required by Louisiana's public trust doctrine, *Save Ourselves* and the IT Questions. LDEQ therefore cannot issue the draft permit unless and until it conducts and publishes a full environmental justice analysis and imposes all necessary mitigation and permit limits to avoid or minimize adverse impacts.

The Hyundai application does not meet even the basic requirements for completeness, let alone the company's commitments to environmental excellence. Please do not hesitate to contact us with any questions.

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