

Coal exporter agrees to meet pollution control requirements under settlement with environmental coalition



Photo provided by the Sierra Club -- An aerial photograph taken by environmental groups in September 2013 shows plumes of coal dust in the water alongside United Bulk's export terminal in Davant, located in Plaquemines Parish.

Environmental groups said Plaquemines Parish terminal was polluting waterways

BY CHAD CALDER

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A coalition of environmental groups fighting an expansion of the coal industry in Plaquemines Parish said Tuesday that it has settled a lawsuit against the owner of an export terminal that it claims was polluting local waterways.

The groups sued [United Bulk Terminals](#) in federal court in March 2014, saying the

company had regularly spilled coal and petroleum dust into the water alongside its export facility in violation of the Clean Water Act.

The coalition, which included the Louisiana Environmental Action Network, Gulf Restoration Network and Sierra Club, amassed photographs, video footage and satellite imagery documenting black material along the shore and in the river below United Bulk's conveyors, as well as plumes of black water spreading into the Mississippi River from the terminal.

The groups said the settlement requires the facility to update its pollution control technology and implement new inspection and monitoring procedures to prevent spills.

United Bulk has agreed to wet the coal and petroleum coke and stop operating during high wind conditions to try to reduce the amount of dust blowing into neighboring communities and wetlands.

The company also has agreed to pay \$75,000 to the Woodlands Conservancy to fund coastal restoration projects, such as removal of non-native plants and wetland reforestation, the groups said.

The environmental groups were represented by Tulane University's Environmental Law Clinic.

The settlement will be reviewed by the Justice Department, which has 45 days to decide whether to approve the agreement.

"It's exciting to see that this lawsuit has resulted in an investment in coastal restoration, since we know that coal and petcoke from nearby coal export facilities are polluting coastal wetlands," Scott Eustis, of the Gulf Restoration Network, said in a news release. "Louisiana's future depends upon the protection of our coastal wetlands; we can't let coal pollution threaten restoration plans."

"Anything that's going to make United Bulk comply with the Clean Water Act is a good thing," Plaquemines Parish Councilwoman Audrey Salvant said. "The company should be held accountable."

United Bulk, which is owned by the [German multinational Oiltanking](#), takes coal and petroleum coke destined for foreign markets via inland barge and either transfers it directly to an oceangoing vessel or puts it into storage at the facility, according to its website.

An employee answering the phone Tuesday evening said no one was available to comment on the settlement.

The United Bulk terminal is one of five in Louisiana on the lower Mississippi River.

The state Department of Natural Resources is considering Armstrong Coal's proposal to build another — called the RAM Terminal — about 5 miles away from United Bulk.

LEAN, Gulf Restoration and the Sierra Club have been [mobilizing residents](#) in Plaquemines, Orleans and Jefferson parishes to oppose the RAM terminal, saying the expansion of coal in south Louisiana will have negative environmental effects that outweigh any financial benefits.

A public hearing on that permit is scheduled for Sept. 17 at the Belle Chasse Auditorium.

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