



July 31, 2018

Via Electronic Mail

Louisiana Department of Environmental Quality (LDEQ)
Public Participation Group
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Re: Comments on International Marine Terminals Partnership/Myrtle Grove Terminal Draft Water Discharge Permit, AI No. 20098, Permit No. LA0052361, and Activity No. PER20160001

Dear Public Participation Group:

The Gulf Restoration Network (GRN) respectfully submits the following comments on the Draft Water Discharge Permit for International Marine Terminals Partnership/Myrtle Grove Terminal, AI Number 20089, Permit Number LA0052361, and Activity Number PER20160001. We reserve the right to rely on all public comments submitted, request a written response to our comments, and request written notification when any action is taken on this Draft Permit (actions such as issuance, denial, remand, etc.). If the permit is amended or altered in response to comments, we request an opportunity to review and comment on any amended permit.

The Myrtle Grove Terminal is a marine bulk terminal and dry bulk marine cargo transfer and storage facility. The terminal handles multiple substances- petroleum coke, gravel, limestone, iron ore, and inorganic aggregates- but predominately, coal. Due to the handling of all of these materials, the terminal discharges many hazardous pollutants, typically in the form of runoff, into the Mississippi River. Because the Mississippi River is a vital resource for the state and nation, GRN and its members throughout Louisiana have a substantial interest in ensuring the health of the River.

I. Pollutants are not being properly limited, monitored, or treated

The Myrtle Grove Terminal handles petroleum coke and coal, thereby creating hazardous runoff which is discharged into the Mississippi River. These pollutants have the potential to impact the River, Gulf, and proposed wetland restoration projects in the area.

Despite the designated uses of the receiving waterbody and the impact on the Gulf, multiple Outfalls (Outfalls 06A, 06B, 010, 011, 012, and

Internal Outfall 007) require no treatment for their discharges of facility ballast and void water, filter backwash, hydrostatic test water, and coal and coke vessel washwater and rainwater. This is hazardous and irresponsible. LDEQ must require the proper treatment at these Outfalls in order to reduce environmental and public health concerns downstream.

Further, Outfalls 002, 008, and 011 discharge various forms of coal and coke runoff. However, only COD, TOC, TSS, oil and grease, and pH are monitored at these Outfalls (and not all of these at every Outfall). LDEQ needs to require that the terminal monitors and limits all of the potentially toxic pollutants that can be in coal and petroleum coke runoff, such as copper and nickel. Until these requirements are met, LDEQ should withdraw the Myrtle Grove Terminal Permit.



Figure 1. September 29th, 2013, coal and pet coke dumped into Mississippi River from upstream dock



Figure 2. Coal displaced into the Lake Hermitage Restoration project, August 26, 2014



Figure 3. Large piece of Coal displaced into the Lake Hermitage Restoration project, August 26, 2014



Figure 4. Smaller pieces of Coal and Pet Coke displaced throughout the Lake Hermitage Restoration project, August 26, 2014

Additionally, LDEQ should utilize X-Ray Spectrometry Technology (XRF)¹ to sample coal discharges in the Mississippi River. Due to the cumulative impacts of this coal and pet coke to the State Master Plan (see Figures 1, 2, 3, and 4), the volume of material in the river and dredged from the river, this technology is the best-suited to proper sampling. LDEQ cannot fully assess the cumulative impacts of the Myrtle Grove Terminals' proposed permit unless LDEQ can see that no excess materials from the terminal are discharged into the river. To do this, LDEQ must require that IMT take monthly samples from each coal and petcoke pile on the Myrtle Grove Terminal property, after any mixing, and conduct XRF on those samples. This way, the dischargers of materials recovered from the river and the restoration sites can be precisely identified. Field Portable XRF technology exists, so such sampling is highly feasible on a monthly basis, alongside the monthly DMR reports. When properly used, this sampling will hold the correct polluters accountable and will reduce superfluous litigation, decreasing the court systems' (and thereby the State of Louisiana's)

¹ For further information on XRF Technology, see: Beckhoff, B., Kanngießer, B., Langhoff, N., Wedell, R., Wolff, H., Handbook of Practical X-Ray Fluorescence Analysis, Springer, 2006, ISBN 3-540-28603-9; Bertin, E. P., Principles and Practice of X-ray Spectrometric Analysis, Kluwer Academic / Plenum Publishers, ISBN 0-306-30809-6; Buhrke, V. E., Jenkins, R., Smith, D. K., A Practical Guide for the Preparation of Specimens for XRF and XRD Analysis, Wiley, 1998, ISBN 0-471-19458-1; Kalnicky, D J, and Singhvi, R. [Field portable XRF analysis](https://doi.org/10.1016/S0304-3894(00)00330-7) of environmental samples Journal of Hazardous Materials Volume 83, Issues 1-2, 7 May 2001, Pages 93-122, available at: [https://doi.org/10.1016/S0304-3894\(00\)00330-7](https://doi.org/10.1016/S0304-3894(00)00330-7); Jenkins, R., X-ray Fluorescence Spectrometry, Wiley, ISBN 0-471-29942-1; Van Grieken, R. E., Markowicz, A. A., Handbook of X-Ray Spectrometry 2nd ed.; Marcel Dekker Inc.: New York, 2002; Vol. 29; ISBN 0-8247-0600-5

costs and resources. LDEQ should require XRF sampling be completed monthly by IMT before approving this permit.

II. An antidegradation analysis must be done

LDEQ has not shown that antidegradation requirements have been met for the receiving waterbodies. The Clean Water Act declares that states must implement an antidegradation policy which ensures that existing water uses and quality be maintained and protected. 40 C.F.R. § 131.12(a)(1). Louisiana has implemented this antidegradation policy, and therefore LDEQ must demonstrate that the permit will protect the waterbody's designated use and quality. See 40 C.F.R. § 122.44(d)(1)(vi)(A). LDEQ has failed to do so in this instance.

The designated uses for subsegment 070301 of the Mississippi River Basin are: primary contact recreation, secondary contact recreation, fish and wildlife propagation, and drinking water supply. The draft water discharge permit states that subsegment 070301 is listed on Louisiana's 305(b) report as supporting standards. Therefore, LDEQ must ensure that these standards continue to be supported and protected. LDEQ has provided no antidegradation analysis in the draft water discharge permit, and therefore it has not done its duty in ensuring that these designated uses are protected and maintained. Through coal and petroleum coke runoff, the Myrtle Grove Terminal discharges numerous pollutants into the Mississippi River, which must be addressed and discussed in greater detail in the draft water discharge permit.

Additionally, because this permit includes plans for "Phase II," which includes the startup of operations of a new retention basin, Outfall 009, an antidegradation analysis must be completed for this increased discharge. Lastly, due to the fact that a portion of the runoff water from the terminal will be untreated, it is impossible that this will not degrade the receiving waterbody. LDEQ must address this in the draft water discharge permit.

Due to the above concerns, GRN requests that LDEQ appropriately modify the permit to meet these requirements or withdraw the permit. GRN would also like to be notified as to any of LDEQ's decisions regarding the permit completely. Thank you for your time and the opportunity to comment on the draft water discharge permit.

Sincerely,



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CC:

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