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Tidings

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Educating Our Elected Officials

While I always assume that our elected officials know what the issues are, this assumption may be wrong. Recently, Andy Marlette's cartoon and opinion about the IP's pollution and the environmental agencies lack of response, has put the pressure on the politicians to do something about this problem. The Florida DEP and the local representatives are feeling the heat. At a recent public meeting, one of our advocates asked Florida Representative Alex Andrade about the IP pollution. His response was the typical response you would get from the paper industry - "we are meeting all the standards, except one or two". He inferred that by meeting the standards you couldn't possibly be harming the environment. This is a wrong assumption. You can meet the rules and still be harming the environment. The problem is the two sets of standards which the Clean Water Act allows. Everyone assumes that the Clean Water Act is going to led to clean water. It isn't. I will print the letter I sent to Representative Andrade in hopes that all elected officials who are on our mailing list, will read and understand.

"Dear Representative Andrade,

I was contacted by Margaret Hostetter who had attended your town hall meeting at Escambia High School on Tuesday night. When she asked about the pollution from the International Paper mill, you responded that International Paper does not pollute Perdido Bay. That statement is not correct. IP does pollute Perdido Bay very badly. I am going to try and explain to you the situation.

International Paper (Champion Paper until 2000) has been operating since 1987 on a permit with a Consent Order. The Consent Order means that IP can not meet the water quality based standards in Perdido Bay. They are "causing and contributing" to violations of these standards. To my knowledge, they are not violating any of the conditions in their permit except for toxicity. IP has not been able to pass the toxicity requirement in their permit eight of the last 10 times. They are currently doing studies to try and locate the source of this toxicity which they believe to be copper.

You might wonder how IP is able to meet the limits which are in the permit but still violating water quality standards in Perdido Bay. The Clean Water Act has two sets of limits which it imposes on a discharger - the technology-based limits and the water quality-based limits. Technology based limits are based on the best available technology in the industry for a specific type of manufacturing. The EPA goes around and determines which mills are doing the best treatment. These limits are based on production levels; the more you produce the higher the limits. There is no consideration of the environment in setting these limits. The other set of limits are the water quality based limits. These limits have values which must be adhered to, to protect the environment into which the industry discharges. Supposedly, if the technology based limits are not stringent enough to protect the environment then the technology-based limits will be made more strict. In my experience this rarely happens. So this is where the situation stands today. IP is violating water quality based limits in Perdido Bay but, except for one big issue of toxicity, meeting their technology based limits.

These technology based limits allow a huge amount of pollution to enter Perdido Bay. I will give you some of the numbers from the Discharge Monitoring Report for April 2019 which IP submits to DEP. The amount of effluent discharged from the mill to their wetlands and Perdido Bay is 29 million gallons per day. All but 5 million gallons of this comes from groundwater pumped from wells. This 29 million gallons per day contains 124 pounds of chlorinated organic material, 37,693 pounds of toxic, oxygen-consuming chemicals (COD), 5,349 pounds of solids (TSS), 1223 pounds of nitrogen, 166 pounds of phosphorus and 0.064 pounds of chloroform. These are all huge number and these chemicals are all legally discharged into our environment. Some of these chemicals have no technology- based limits, such as COD.

The reason that some of these technology-based numbers are so high is that the mill in Cantonment produces a huge amount of paper - 2,000 air-dried tons per day of unbleached pulp, and 485 air-dried tons per day of bleached pulp. Remember, technology-base limits are determined by production. Perdido Bay is a very small bay which does not provide sufficient dilution for these large amounts of pollutants. Paper mills in other areas discharge to fast flowing rivers or large bodies of water which are more easily able to assimilate this pollution load. It is a bad situation and it seems to be getting worse. Perdido Bay has less and less life.

My personal opinion is that, while IP does provide some economic benefit to the community, especially those people who grow pine trees for pulp, it severely hampers any chance of recreation and development in this part of Escambia County. In addition to the water pollution, the air pollution from IP is worse. In recent years, many subdivisions have grown up around the mill and are at risk of diseases from the air pollutants.

I hope this explanation helps you to understand the dilemma we have about the mill. At some point the community must make a decision - continue with the past

polluting industries or break free. I don't believe these industries will clean up. It is time to "break-free".

I have had no response from either Representative Andrade or Florida Senator Broxson, whom I also wrote.

Not Expired (Maybe)

In the last newsletter, I wrote that IP's permit had expired. Their regular permit was issued March 10, 2010. Permits are only supposed to be good for five years. So the permit should have expired in March 2015. It didn't, because the permit was also issued with a Consent Order which was supposed to expire four years later or in March 2019. A Consent Order is an agreement between the Florida DEP and the discharger which is an enforceable agreement to do certain things. Because IP was not meeting the water quality standards in Elevenmile Creek and Perdido Bay, they were required to go to a wetland discharge and then meet the water quality standards. They went to the wetland discharge, but they are still **not** meeting water quality standards. IP is trying to get alternative standards for the water quality standards they can not meet. But they still do not meet the water quality standards, so the state has decided to extend the Consent Order deadline until April 2020. Of course, DEP forgot to notify Friends of Perdido Bay until after the June 2019 newsletter came out. Opps! Just happens! The U.S. EPA still has the permit listed as expired.

The continual extensions of expired IP permits is not a new phenomena. In 1989, the Florida DEP and EPA issued a permit to Champion International (after an administrative hearing) which should have expired in 1994. It didn't. There were a series of "administratively continued" orders issued which seem to extend the life of the old permit indefinitely. The EPA actually resorted to a 1982 permit which had been issued to the old St. Regis Company. This was all because the paper mill could not and can not meet water-quality standards and the government didn't want to shut them down. The expired permit under which IP is operating now, was issued after the administrative hearing in 2010. This definitely makes environmental regulation and the permitting requirements a farce. One valid permit in 34 years?

IP's Effluent is Toxic

Per one of the permit requirements, IP is supposed to test their effluent for toxicity two times a year. This is an important parameter which certainly will express itself in the environment. The tests are done on two freshwater organisms - a water flea and a fathead minnow larvae. The tests look at survival (acute toxicity) and growth of the fathead minnow and reproduction in the water flea (chronic toxicity). IP's effluent shows chronic toxicity and has since 2012.

Over the years, I had seen times when the paper mill effluent was deemed toxic to these little freshwater organisms. Usually in the past, the mill retests the effluent and the toxicity has disappeared. Since 2012, the retests have remained toxic.

In the past, Friends of Perdido Bay had run toxicity tests from water collected at the mill's discharge site into Elevenmile Creek, called the boil. And yes, we found toxicity. A certified lab in Gainesville ran our samples. We also looked at algae growth to see if the samples were herbicidal. A sample collected in October 1998 did not find chronic toxicity but did find that the effluent was herbicidal. I had noticed in my research on snails and periphyton that I could not get periphyton to grow even after three months in Perdido Bay water. Champion had converted to chlorine dioxide bleaching in 1995. This bleaching chemical certainly appeared to be herbicidal. It was. I reported all these findings to the Florida DEP and to the EPA but the agencies never did respond.

The EPA allowed the paper industry to do the environmental testing for this new bleaching agent, chlorine dioxide. The National Council for Air and Stream Improvement

(NCASI), which is the paper industry's research group, put out three research articles on the new bleaching agent, chlorine dioxide, and did not find any adverse effects in the environment, at least none which were "statistically significant". One piece of research in particular, I thought, was terrible. It had such great variation in the data that it would have been hard to find anything statistically significant. At the time of Friend's test (1998), the mill was owned by Champion and was producing about 1400 tons per day of bleach pulp.

The next two toxicity tests which Friends of Perdido Bay ran on the paper mill effluent were done in February 2000 and June 2001. The paper mill effluent was no longer herbicidal, but was definitely chronically toxic. The effluent caused the water flea to produce fewer offspring and decreased the growth rate of the fathead minnow. This toxicity was mirrored in a declining amount of life in the bay. It was alarming to see the bay die. Robert Livingston, the researcher from Florida State, who did a 17-year study of life in the bay, also found life declining in the bay. He attributed this decline of life in the bay to blooms of toxic algae, *Heterosigma*, caused by too many nutrients from the paper mill. We never believed this to be true since the death of the bay was not sudden with lots of dead and dying fish. Since Dr. Livingston stopped doing studies in 2007, there have been no toxic algae outbreaks - only a dead bay. International Paper acquired the mill in 2000 and the mill was still producing 1400 tons per day of bleach pulp. IP had shifted from using a mix of hardwoods and pine to 100% pine.

The environmental agencies had been doing benthic sampling stations in the bay for years prior to Livingston's work. Their work stopped in 1986. In 2018, Friends of Perdido Bay decided to retest two of the upper bay stations and also to add two stations in the marsh lakes into which IP's effluent flows. The environmental testing company which we hired, found so little life on the bottom that it could not really run any valid statistical analysis. We had heard that DEP had found a similar result in 2007 when they did some benthic analysis, but this result was not publicized.

<p>Membership and Renewals</p> <p>Tidings is published six times a year by Friends of Perdido Bay and is mailed to members. To keep up with the latest news of happenings on Perdido Bay, become a member or renew your membership. For present members, your date for renewal is printed on your mailing label.</p> <p>Membership is \$20.00 per year per voting member. To join or renew, fill out the coupon to the right and mail with your check to the address on the front.</p> <p>Friends is a not-for-profit corporation and all contributions are tax-deductible. Funds received are all used for projects to improve Perdido Bay. No money is paid to the Board of Directors, all of whom volunteer their time and effort.</p>	<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <input type="checkbox"/> New <input type="checkbox"/> Renewal </div> <div style="width: 50%;"> Amt. Enclosed \$ _____ </div> </div> <hr/> Name <hr/> Address <hr/> Phone (_____) _____ e-mail _____
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Today, IP is still looking at what is causing the toxicity in their effluent. They are telling the environmental agencies that it might be the five million gallons of water which they are getting from ECUA. IP is also telling the environmental agencies that they are the only paper mill in Florida (there are 8) which has to run the toxicity test with 100% effluent. If they could only dilute the effluent a little for the toxicity test then they might pass. They can not however, because their effluent does not get diluted before it enters the environment. Sad story.

Thank you for your support