



Bulk Rate  
U.S. Postage Paid  
Permit No. 13  
Lillian, AL 36549

---

**Friends of Perdido Bay**  
10738 Lillian Highway  
Pensacola, FL 32506  
850-453-5488

---

## **Tidings** The Newsletter of the Friends of Perdido Bay

---

August 2008

Volume 21 Number 4

Jackie Lane -Editor

[www.friendsofperdidobay.com](http://www.friendsofperdidobay.com)

---

### **IP Permit Has Been Challenged (Stopped) Again**

On July 18, 2008, the Department of Environmental Protection (DEP) issued its “Notice of Intent” to issue a Permit and Consent Order with related documents to International Paper Co. to build a ten-mile pipeline and discharge to a 1,300 acre piece of property adjoining Perdido Bay. By issuing the “Notice of Intent”, the DEP began the administrative process whereby the permit may be formally challenged in an administrative court. A challenge to the permit stops the issuance of the permit until a hearing is held and the facts upon which the permit was issued are examined in an administrative court. In order to receive a permit, state rules and statutes governing environmental regulation must not be violated. As was learned from the last hearing (which we won), just because DEP decides to issue the permit does not necessarily mean state rules will not be violated.

Because the new permit is basically the same permit which was turned down by the administrative law judge, DEP and the state of Florida in 2007, we have the same objections to the second issuance of the permit which we had to the first permit. As we view the second permit, the small changes which were made make the permit even worse than the first permit. About 200 less acres of property are being flooded than in the previous plan by lowering the berms. These berms help hold

back and redistribute the waste water. This will decrease the travel time to Perdido Bay which IP estimates to be 3 days from discharge to tidal lakes along the Bay. We think the travel time is more like 2 days. There was some discussion in the permitting documents which indicate that IP may lower the berms even more. Of course, a day or two doesn’t make much difference when it comes to paper mill effluent. It takes over 100 days to process and treat about 90% of the oxygen consuming wastes (as measured by BOD, biochemical oxygen demand) in paper mill effluent. When you consider that the IP mill in Cantonment only treats their waste for 9 days at most, a day or two isn’t going to make a whole lot of difference.

The permit has been challenged by two individuals and Friends of Perdido Bay. The closing date for asking for a hearing is August 8, 2008. We will keep everyone posted on the

**We are now collecting donations for new hearing. It will cost approximately \$20,000 for experts and limited attorney’s fees. Please protect your investment and the future of Perdido Bay.**

events of the permit challenge. It is unlikely that a hearing will occur anytime soon even though IP has asked for a “hurry up” hearing. Our experts have to be able to access IP property and make studies, review IP’s experts’ documents, etc. It took over a year of motions and legal waggling to finally get to the last hearing in 2006. We expect a similar situation this time. So even though news media reported that the IP permit had been issued, it hasn’t gone through yet.

### **Our Objections to the Permit**

\_\_\_\_\_ We have posted our objections to the permit on our website and in the past news letters. Some of you wrote letters to DEP giving some of our objections and others which you had observed. Most of the objections to the permit were very good. We will list those objections again.

1. IP’s wastewater is very poorly treated. Paper mill effluent has very high amounts of organic wastes and low amounts of nitrogen and phosphorus. Organic wastes consume oxygen because bacteria use these organic wastes for food - the more organic waste the greater the numbers of bacteria and the more oxygen which is used by the multiplying bacteria. Some bacteria can live in environments without oxygen, but these bacteria do not grow as quickly or break down organic matter as quickly as bacteria which live in oxygen.

There are many things which IP could do to treat their effluent better. They could build larger ponds and treat the effluent for a longer time. IP’s treatment ponds are unlined holes in the ground which have giant mixers which aerate the water. Usually the more mixing or aeration, the better the treatment. The longer the effluent is held and mixed, the better the treatment. Georgia Pacific in Palatka, Florida has treatment ponds large enough to hold their wastes for 45-days. As I remember their wastewater achieves tertiary standards - 5 mg/l BOD, 5 mg/l solids, 3 mg/l total nitrogen, and 1 mg/l total phosphorus. IP is proposing putting an effluent into the wetlands which has a concentration of 25 mg/l BOD, and 58 mg/l solids. There is no limit on total nitrogen in the permit. Total phosphorus will probably meet tertiary standards.

Another possibility for reducing BOD and solids is running the effluent through sand filters. Most of the local domestic wastewater treatment facilities use sand filtration to reduce their solids and BOD. When I mentioned using sand filtration to IP’s past vice-president for the environment, he blurted out “You pay for it”. Well actually we do. These high solids (up to 27,000 pounds per day) and high BOD (4,500 pounds per day which is equivalent to 38,000 septic tanks discharging directly to the environment) ruin Perdido Bay and make it unsuitable for recreation.

2. Discharging the effluent to wetlands is going to ruin the little creeks and sloughs in the wetlands and totally ruin the tidal lakes of Tee and Wicker Lakes. The effluent will flood the entire 1,300 acres of land. This nutrient rich water will create a giant shallow (in some areas) lake which will evolve to nothing but cattails. This was the outcome of IP’s experiment wetlands. Once this nutrient rich water reaches (in 2 days) Tee and Wicker Lakes, greater destruction will occur. Right now these lakes receive an occasional low dose of paper mill effluent. IP’s plans to divert 70% of the flow into these tidal lakes.

Friends of Perdido Bay is not the only group objecting to this permit. The editorial board of the Pensacola News Journal also thought the permit to discharge to wetlands needed

improving. They urged that the permit be changed. But to little avail. So we have to go to a hearing once again.

### **Is the IP Mill in Cantonment Going to Close?**

We have heard rumors that IP is going to close their mill in Cantonment, Florida. Several weeks ago, as we were leaving Pensacola, we drove by the mill in Cantonment. Much to our surprise, a big realty sign is advertising IP's two office buildings at the mill "For Sale". Any one interested? I don't think the mill site with its manufacturing buildings and treatment ponds are part of the deal. Since IP has just its buildings for sale, what happens to the rest of the mill is anyone's guess. Maybe a hurricane will blow it away. But this may be premature and wishful thinking. Why would IP be trying to get a permit for a mill which they intend to close?

IP bought all of Weyehaeuser's linear board mills and have recently taken them over. So this mill in Cantonment will become one of many mills making linear board in the IP system. I suspect IP will move to close some of the lesser efficient linear board mills. Certainly this mill in Cantonment Florida which is located on a small creek and very small bay has a few strikes against it. But the "wisdom" of corporate America is beyond my understanding. So we will see.

### **If it is Not One Thing, It's Another**

Because IP incurred a large debt (\$6 billion) in their purchase of the Weyehaeuser linear board mills, they are selling many of their assets. According to IP's CEO, John Faraci, IP will continue to look for opportunities to "monetize forestlands, real estate and mineral holdings". IP owns approximately 300,000 acres of forest land in lower Alabama which is for sale along with their office buildings in Cantonment, Fl. Real estate is definitely not selling very fast right now, but with IP's influence, the large chunks of land may sell faster than most.

Several days ago, we got a call from a man who lives in Perdido, Alabama. He said to check out an article in the July 26, 2008 Mobile Press Register. According to the article written by Craig Myers, the state is looking for land to build a road between I-10 and I-65. The Alabama Highway Department is calling this a "Hurricane Route". But what this may be is a route to open up a lot of property owned by IP. Our contact in Perdido Alabama said this is going to be a "toll road". Right now the connector will originate on I-65 south of the Rabun/Perdido exit and end on I-10 near the Alabama-Florida state line. The proposed route will go through the Perdido River drainage basin and impact acres of Perdido River swamps. Development is on the way.

Even though the state of Alabama has purchased approximately 2,000 acres of land along the Perdido River from IP as a conservation easement, there are still thousands of pristine acres waiting for development. It seems endless.

### **Needs Watching**

Many of our Florida members may have noticed a new pipeline being put in on Blue Angel Parkway several months ago. This pipeline is going to carry domestic wastewater from Pensacola NAS to the Bayou Marcus wastewater treatment plant. The Navy is sending approximately 2 million gallons of waste water a day (MGD) to Bayou Marcus and closing its wastewater treatment plant at the base. Originally the Navy was going to upgrade its wastewater treatment plant and then spray the wastewater on its golf course. Why the Navy changed its mind, I do not know.

With the additional 2 MGD from the Navy, the total wastewater being treated by Bayou Marcus is now a little over 6 MGD. Once this wastewater is treated to tertiary standards, it is discharged to wetlands surrounding Perdido Bay. The permitting engineer at DEP told me that ECUA will probably open up the second section of the wetland to accommodate the increased flow.

While Friends of Perdido Bay thinks the Bayou Marcus wetland reclamation project is and has been a good project, the wastewater plant and wetlands are only designed to handle 8.2 MGD. The Bayou Marcus plant was originally built to handle growth on Perdido Key. With the wastewater plant now at about 75% capacity, we are wondering what is going to happen if a lot of growth occurs on Perdido Key. Will ECUA try to expand the Bayou Marcus plant? We hope not. Perdido Bay has been listed as “impaired” due to nutrients on the latest “Impaired Waters List”. Even though the nutrients coming off the wetlands are low, more flow equals more nutrients. At some point, you have to say, enough is enough.

**Laissez-Faire Dream - A Pipeline**

Do you dream of no limits, no regulations, no testing, no fines? Making as much money as you possibly can for your owners? Paper companies do. There are at least three paper mills in Florida located on small streams. The discharges from these paper mills overwhelm these streams and produce extremely polluted conditions. All of these streams are classified as swimmable and fishable, but of course they are not. The Florida regulators look the other way. Along came David Struhs, who was Secretary of Florida’s DEP and is the brother-in-law of Andrew Card, George Bush’s ex-Chief of Staff. David Struhs is now a Vice-president at IP. David Struhs and others must have decided that the polluted streams were not sustainable for paper mill longevity in Florida. So the idea of a pipeline was born or reborn. Pipe the effluent to a larger body of water or in the case of IP’s Cantoment mill to an overland route and let it go. Once out of the small creek, there may be no limits. DEP’s justification for raising limits in the current IP permit is that IP’s discharge limits are “no longer limited by the flow in the Creek” . Does this mean no limits? If there are no limits, there can be no fines. If energy prices continue to spiral, wouldn’t it be better to turn off those aerators in the treatment ponds? Your pollution load would skyrocket, but who could tell except a few poor souls ( did I say soles) at the end-of-the pipe. With the effluent mixing in a larger body of water or coming overland through a swamp, it would be even harder to say the pollution came from your mill. It couldn’t really be tested. Your owners/shareholders would be happy with the increased profits. A dream for some, a nightmare for others. We are trying to keep this from happening on Perdido Bay. **Send donations.**

<p><b>Membership and Renewals</b></p>	<input type="checkbox"/> New
<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>	<input type="checkbox"/> Amt. Enclosed\$ _____ Renewal
<p>Membership is \$10.00 per <b>year per voting member</b>. To join or renew, fill out the coupon to the right and mail with your check to the address on the front.</p>	Name _____
<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>	Address _____
	Phone ( _____ ) _____
	e-mail _____