



**SIERRA  
CLUB**



Healthy Gulf  
PO Box 2245  
New Orleans, LA 70176

February 24, 2021

LDEQ  
Public Participation Group  
PO Box 4313  
Baton Rouge, LA 70821-4313  
[DEQ.PUBLICNOTICES@LA.GOV](mailto:DEQ.PUBLICNOTICES@LA.GOV)

**RE: Thee Air Permits:**

- 1. PCS Nitrogen Fertilizer, LP, & Nitrate Group Proposed Part 70 Air operating Permit and Renewal and Modification, AI Number 3732, Permit Number 2240-V15, Activity Number PER20190005**
- 2. PCS Nitrogen Fertilizer, LP & Ammonia Group Proposed Part 70 Air Operating Permit Significant Modification, AI Number 3732, Permit Number 2241-V10, Activity Number PER20190016**
- 3. Air Products & Chemicals, Inc./Hydrogen Plant, AI Number 220293, Permit Number 0180-00233-V0, Activity Number PER20190001**

Dear Public Participation Group,

Please accept the following comments from Healthy Gulf, Sierra Club, and Center for Biological Diversity<sup>1</sup> regarding two PCS Nitrogen Facilities and

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<sup>1</sup> Healthy Gulf's purpose is to collaborate with and serve communities who love the Gulf of Mexico by providing research, communications and coalition-building tools needed to reverse the long-pattern of over exploitation of the Gulf's natural resources. Healthy Gulf has members throughout the Gulf states, including Louisiana. Please feel free to contact Matt Rota, Senior Policy Director by phone at (504)377-7840 or by email at [matt@healthygulf.org](mailto:matt@healthygulf.org).

The Sierra Club is America's largest and most influential grassroots environmental organization, with more than 3.8 million members and supporters. In addition to protecting every person's right to get outdoors and access the healing power of nature, the Sierra Club works to promote clean energy, safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and legal action. For more information, visit [www.sierraclub.org](http://www.sierraclub.org)

The Center for Biological Diversity believes that the welfare of human beings is deeply linked to nature – to the existence in our world of a vast diversity of wild animals and plants. Because diversity has intrinsic value, and because its loss impoverishes society, CBD works to secure a future for all species, great and small, hovering on the brink of extinction. CBD does so through science, law and creative media, with a focus on protecting the lands, waters and climate that species need to survive. CBD wants those who come after us

Air Products & Chemicals facility: PCS Nitrogen Fertilizer, LP, & Nitrate Group Proposed Part 70 Air operating Permit and Renewal and Modification, AI Number 3732, Permit Number 2240-V15, Activity Number PER20190005; PCS Nitrogen Fertilizer, LP & Ammonia Group Proposed Part 70 Air Operating Permit Significant Modification, AI Number 3732, Permit Number 2241-V10, Activity Number PER20190016; and Air Products & Chemicals, Inc./Hydrogen Plant, AI Number 220293, Permit Number 0180-00233-V0, Activity Number PER20190001.

*We intend these comments to pertain to all three proposed permits/renewals as would be, according to the public notices, located on the same property in Geismar, LA.*

We reserve the right to rely on all comments submitted.

*Due to the issues raised below, we request that the proposed permits be withdrawn and re-drafted to address these concerns, as well as concerns raised by community members at a public hearing.*

**We request a public hearing with virtual participation, held jointly with a public hearing for the draft NPDES permit for this facility.**

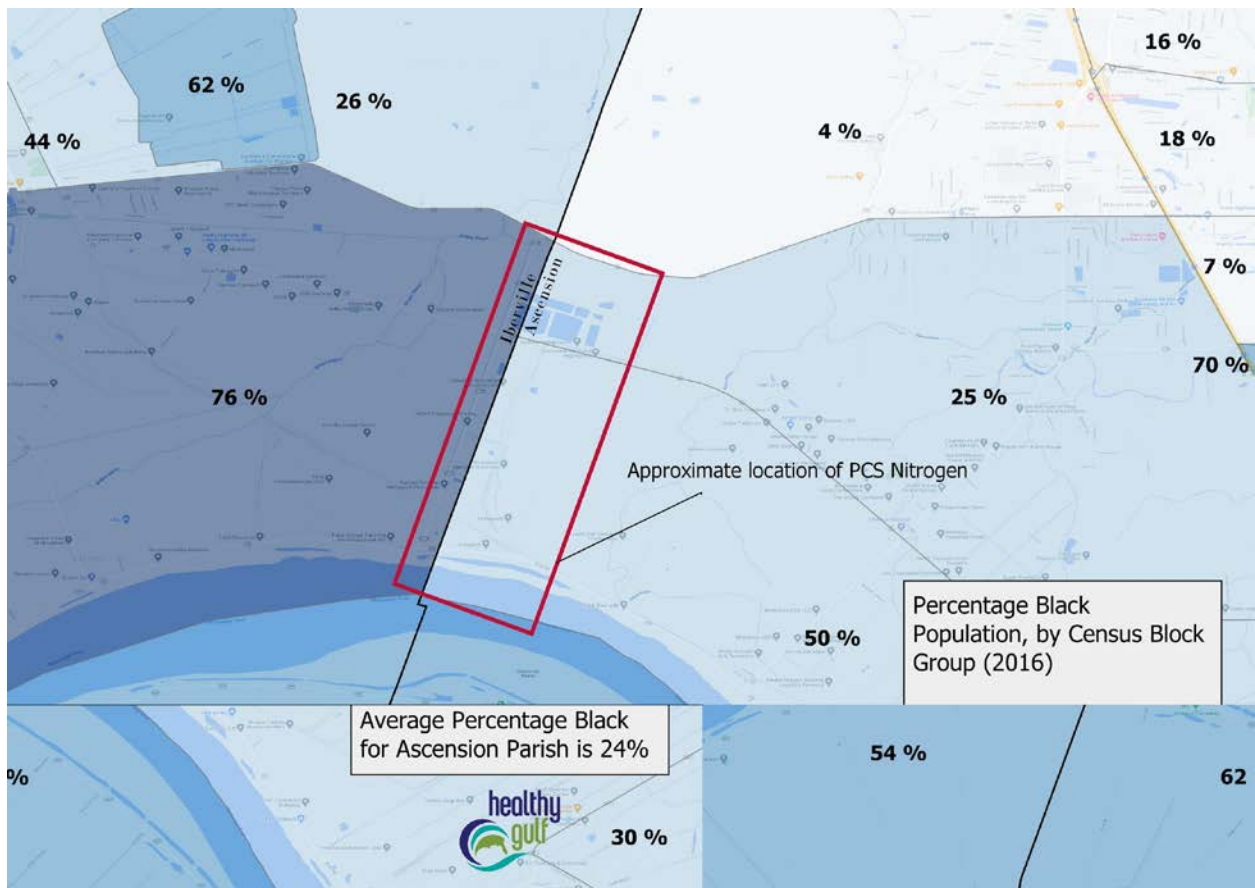
As we outline below, PCS Nitrogen operates in a particularly vulnerable area from an environmental justice perspective. This plant is located in the heart of the region known as “Cancer Alley,” and “Death Alley.” There are communities in this area that have repeatedly been impacted by environmental degradation of the air, land, and water. Oral public comment from these communities would add valuable information to the decision-making process LDEQ is applying to this permit.

In order for LDEQ to get local information regarding pollution issues regarding these air emissions, a public hearing would be necessary. We acknowledge that during the COVID-19 crisis that public hearings can be problematic. In order to facilitate the maximum amount of public participation we are requesting a public hearing where virtual participation is possible. This participation should allow for virtual attendees to submit their oral comments during this hearing.

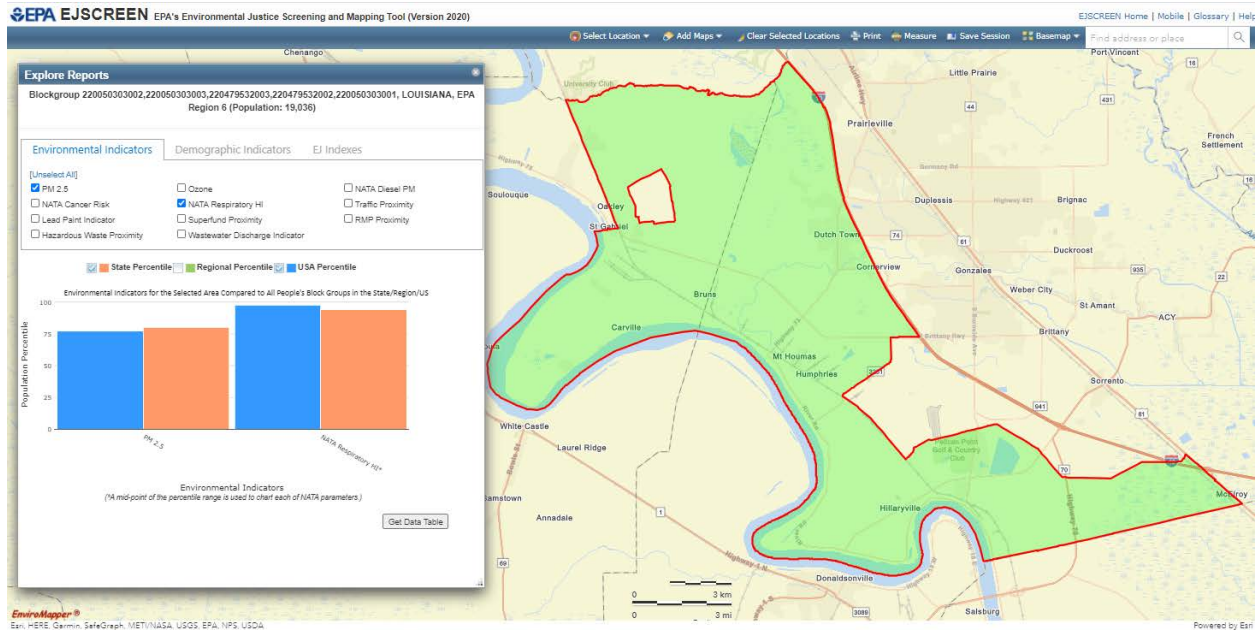
*In order to streamline LDEQ’s public hearings, we request a single public hearing for the water and air permits for this facility. This hearing must have capabilities for community members to participate fully in a virtual manner in addition to in person in a socially-distanced environment.*

**Environmental Justice Concerns must be addressed.**

This area is in and surrounded by environmental justice census block groups (Figure 1). The air emissions coming from the facility will affect communities of color and low income residents disproportionately. Also, this area is in the midst of an EPA environmental justice problem zone, where PM 2.5 is in the 77<sup>th</sup> USA percentile and NATA Respiratory HI is in the US 95-100<sup>th</sup> percentile. The state percentiles are 80<sup>th</sup> and 94<sup>th</sup>, respectively (Figure 2). Plus, COVID-19 has disproportionately affected people of color. Whatever existing environmental justice issues there were, after the pandemic in 2020 and 2021, the environmental justice issues have only grown for people living there. LDEQ must take the well-being of the communities directly affected by their air emissions into account, and deny the permit.



**Figure 1.** Percentages Black population from 2016 US Census in the Project area. Average percent Black for Ascension Parish = 24% and Iberville Parish = 48%. Data: ACS US Census 2016.



**Figure 2.** EPA “PM 2.5” and “NATA Respiratory HI” from EJ SCREEN show the block groups surrounding the project area to be within zones in the 77<sup>th</sup> USA percentile for PM 2.5 and at the 90 - 100 USA percentile for NATA Respiratory HI. State percentiles are 80<sup>th</sup> and 94<sup>th</sup> respectively Data: EPA EJSCREEN

*We request LDEQ withdraw this permit and include an analysis of environmental justice concerns in any subsequent new permit announcement.*

### Significant Previous Air Pollution Violations

EPA records show a history of environmental non-compliance not only with air, water, and solid waste. The violations in all media show a consistent record of non-compliance and pollution. In fact for Clean Air Act compliance, it is categorized as “High Priority Violation” and has been out of compliance every quarter over the past three years. See Figure 3.

#### Enforcement and Compliance Summary

Statute	Insp (5 Years)	Date of Last Inspection	Compliance Status	Qtrs with NC (of 12)	Qtrs with Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CAA	4	09/17/2020	High Priority Violation	12	12	1	2	\$106,991	--	--
CWA	2	03/21/2019	Violation Identified	3	0	2	--	--	--	--
RCRA	2	09/14/2020	Significant Noncomplier	12	12	--	--	--	--	--

**Figure 3.** Enforcement and Compliance Summary from USEPA’s Enforcement and Compliance History Online (ECHO). Accessed 1/21/2021<sup>2</sup>

*Because of the previous violations, the permit should not be renewed. The Applicant must be held accountable for their egregious violations of their*

<sup>2</sup> <https://echo.epa.gov/detailed-facility-report?fid=110000748059>

permits, and for contributing further to the environmental justice disaster in Ascension and Iberville Parishes.

**Health costs were not considered**

It is inevitable that releasing cancer-causing agents will result in increased health care costs. Countless studies have linked air pollution to cancer and a 2010 study by the U.S. Department of Health found that “the true burden of environmentally induced cancer has been grossly underestimated.”<sup>3</sup> As was mentioned above, the link between COVID-19 and air pollution as a comorbidity factor is being solidified every day.

A study by the American Cancer Society found that “roughly \$87.8 billion was spent in 2014 in the U.S. on cancer-related health care. These costs were paid by employers, insurance companies, and taxpayer-funded public programs like Medicare and Medicaid, as well as by cancer patients and their families [emphasis added].”<sup>4</sup>

The health costs of emissions from these three projects Project are truly significant. Using the US EPA’s own Benefits Mapping and Analysis Program (BenMAP)<sup>5</sup>, we drafted estimated costs (Figure 4a-c).

<b>4a. PCS Nitrogen Fertilizer, LP &amp; Ammonia Group</b>			
<b>Pollutant</b>	<b>Addition Estimated Emissions (tons)</b>	<b>Health Cost Factor Per ton (benmap coke oven) <a href="https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates">https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates</a></b>	<b>Total Estimated Health Costs</b>
PM10	2.43	\$510,000.00	\$1,239,300.00
PM2.5	0.27	\$510,000.00	\$137,700.00
SO2	0.06	\$58,000.00	\$3,480.00
NOX	6.51	\$12,000.00	\$78,120.00
VOC	2.93	\$3,100.00	\$9,083.00
			<b>\$1,467,683.00</b>

<sup>3</sup> [https://deainfo.nci.nih.gov/advisory/pcp/annualreports/pcp08-09rpt/pcp\\_report\\_08-09\\_508.pdf](https://deainfo.nci.nih.gov/advisory/pcp/annualreports/pcp08-09rpt/pcp_report_08-09_508.pdf)

<sup>4</sup> <https://www.fightcancer.org/sites/default/files/Costs%20of%20Cancer%20-%20Final%20Web.pdf>

<sup>5</sup> <https://www.epa.gov/benmap/reduced-form-tools-calculating-pm25-benefits>

<b>4b. PCS Nitrogen Fertilizer, LP, &amp; Nitrate Group</b>			
<b>Pollutant</b>	<b>Addition Estimated Emissions (tons)</b>	<b>Health Cost Factor Per ton (benmap coke oven) <a href="https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates">https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates</a></b>	<b>Total Estimated Health Costs</b>
PM10	0.59	\$510,000.00	\$300,900.00
PM2.5	0.59	\$510,000.00	\$300,900.00
SO2	0	\$58,000.00	\$0.00
NOX	9.89	\$12,000.00	\$118,680.00
VOC	-0.26	\$3,100.00	-\$806.00
			<b>\$719,674.00</b>

<b>4c. Air Products&amp; Chemicals, Inc /Hydrogen Plant</b>			
<b>Pollutant</b>	<b>Addition Estimated Emissions (tons)</b>	<b>Health Cost Factor Per ton (benmap coke oven) <a href="https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates">https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates</a></b>	<b>Total Estimated Health Costs</b>
PM10	21.24	\$510,000.00	\$10,832,400.00
PM2.5	17.63	\$510,000.00	\$8,991,300.00
SO2	2.66	\$58,000.00	\$154,280.00
NOX	31.65	\$12,000.00	\$379,800.00
VOC	13.4	\$3,100.00	\$41,540.00
			<b>\$20,399,320.00</b>

**Figure 4a-c.** Total estimated health costs from the three facilities amounts to \$22,586,677. Estimated health costs (USD) per ton emissions of several air pollutants. Source methodology from Fann et al. 2012, <https://doi.org/10.1016/j.envint.2012.08.017>. 2015 costs with a 3% discount rate and from Lepule et. al (2012) mortality estimates were used.

These conservative estimates don't even include carbon monoxide, ammonia, and others, nor do they factor in COVID-19, and they still come out to over 22 million dollars. We could think of this as a "minimum cost" for health care associated with this Project going forward. Is it worth it? LDEQ must hold a public hearing to hear from community members regarding the impact that this Project would have on their health care burden. By approving this Permit extension, LDEQ is approving an incredible burden, saddling impoverished households with paying for exorbitant health care costs. When people can't pay for health care costs, publicly funded programs are invoked, so this cost burden still comes to other taxpayers. Either way, by allowing the extension and the Project to go forward, LDEQ is placing a \$22 million burden onto the taxpayers of Louisiana. This cost is highly significant, and must be

considered. These projects cannot go forward until these health costs have been considered.

**Additional ammonia products should not be produced in this disproportionately impacted area.**

Among these three permits, applicants are proposing to produce up to 5,900 tons of ammonia every day. This is an increase of more than three times their current capacity. This is dangerous to the surrounding community.

The immediate health effects of ammonia exposure are significant: immediate burning of the nose, throat, and respiratory tract; bronchiolar and alveolar edema respiratory distress or failure; coughing, nose, and throat irritation. These impacts could impact communities in Southern Louisiana more, as while ammonia gas is normally lighter than air, in areas of high relative humidity- the proposed area for the projects-“liquefied anhydrous ammonia gas forms vapors that are heavier than air. These vapors may spread along the ground or in to low-lying areas with poor airflow where people may become exposed.”<sup>6</sup>

*Thank you for the opportunity to comment on this draft LPDES permit. We look forward to LDEQ’s response to the issues raised above.*

Respectfully submitted,

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6

[https://www.health.ny.gov/environmental/emergency/chemical\\_terrorism/ammonia\\_tech.htm#:~:text=Exposure%20to%20high%20concentrations%20of,and%20nose%20and%20throat%20irritation.](https://www.health.ny.gov/environmental/emergency/chemical_terrorism/ammonia_tech.htm#:~:text=Exposure%20to%20high%20concentrations%20of,and%20nose%20and%20throat%20irritation.)