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# Tidings

The Newsletter of the Friends of Perdido Bay

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## **THE REAL PURPOSE FOR GOING TO A WETLAND**

Back in 2009 when Friends of Perdido Bay challenged (for the second time; we won the first one) International Paper's permit to go to a wetland discharge, there were many questions about why we would challenge this wonderful plan. After all, the wetlands were going to clean up the effluent and Friends of Perdido Bay had been touting, for years, a wetland plan for cleaning up IP's effluent. What was lost in the conversation about IP's wetland plan was: 1. The effluent was only going to be in the wetland for less than 12 hours - insufficient time for any cleanup, 2. IP was going to increase production from 1400 air dried tons of pulp to 2300 air dried tons of pulp, and 3. IP was building a discharge wetland not an engineered treatment wetland. So there was a big difference between what we had been proposing and what IP was building. For years, the EPA had not allowed an overland discharge which was what IP was building. The fact that EPA allowed this plan to go through, indicated to us that IP had pulled the right political strings.

There were many reasons IP and all their political friends decided to go to a wetland discharge and it really had nothing to do with cleaning up the effluent. It had everything to do with trying to get a valid permit. Since 1986, when we challenged the permit which the state of Florida was trying to give to Champion International (the previous owners of the mill), the mill has not been able to meet Florida's water quality standards. I suspect that the mill had never been able to meet Florida standards, but the state issued the permit anyhow. The permits had never been challenged. It was pretty clear that the mill was not going to get a permit while staying in 11-Mile Creek. It was a small creek with a huge pollution load, and the load was only going to get bigger. Not only couldn't they get a valid permit, but the pollution in 11-Mile Creek was very visible and also testable. It was just too easy for people to take a bucket and dip water out of 11-Mile Creek and test it. And of course the numbers were always terrible. I often wondered how the mill got the results it did.

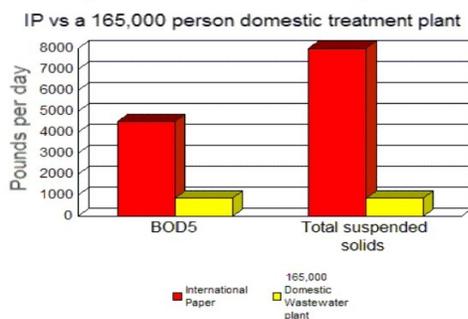
For years before getting out of 11-Mile Creek, Champion had looked at getting alternative water quality standards for their effluent by comparing 11-Mile Creek to other local creeks. But the state has criteria for getting “site specific alternative criteria” which Champion could never meet. Hence in order to get a valid permit, they had to come up with a different discharge site. We knew this. However we did not think the EPA would allow an overland flow discharge, especially through a wetland. But EPA did allowed the wetland discharge.

All the while, the paper mill has been operating on a permit and Consent Order. A Consent Order means that they agree to do certain actions to meet state standards, **in the future**. This has been going on for 30 years, and they still do not meet state standards. It has made a farce out of the permitting system and out of the state pollution statutes. Before the new permits were issued in 2006 and again in 2009 (Friends of Perdido Bay challenged both permits), Champion and then IP operated on a permit and Consent Order which had been issued in 1989 (this permit had been challenged at a hearing by the old Perdido Bay Environmental Association; Friends of Perdido Bay agreed to work with the paper mill for 3 years). That permit was supposedly valid for only 5 years and should have expired in 1994. It didn't. The permit had been administratively continued by DEP for 12 years until the 2006 permit. So much for state laws and rules!

But with the new discharge site in the wetlands, the paper mill could get alternative criteria for their discharge - they hoped. This is what IP has been working on for the past year - showing DEP that wetlands naturally have low dissolved oxygen so that their permit ought to have lower standards than the state has for regular waters. Other standards which IP is violating in the wetlands are: pH, specific conductance, and turbidity. IP has already determined that they can probably get site specific criteria for pH and specific conductance. Turbidity is a tough one. We will see.

You might wonder why IP's effluent is not harming the wetland since the pollution load is bigger than when they were in the creek. It is harming the wetland. Many trees have died or are dying. Whether this is due to increased flooding of the roots or chemicals in the effluent is unknown to me. When IP went to the wetland, they also counted on another tool - **dilution**. The wetland itself puts out 13 million gallons a day, on the average, of water seeping from the ground. In addition, ECUA (Escambia County Utilities Authority) is adding 10 million gallons a day of their treated domestic wastewater to IP's effluent -

### Comparison of limits in permits



5 million is added at the mill and another 5 million is sent directly to the pipe line. The fact that domestic wastewater can be used successfully to dilute paper mill effluent should show you just how bad the paper mill effluent is, especially in regards to Total Suspended Solids. The graph shows how much better domestic wastewater is compared with paper mill effluent.

The little small bars are the ECUA's effluent. The reason Total Suspended Solids is so much better in domestic wastewater is because domestic plants run the effluent through sand filters. Paper mills don't. It costs too much. So while the dilution may help diminish the harmful effects in the wetland, the total pollution loading coming into Perdido Bay is worse.

The tidal lakes, Tee and Wicker Lakes, at the southern end of IP's wetland are also not meeting state water quality standards. IP is also looking at getting "alternative criteria" for these bodies of water as well, but it is going to be hard. Natural dilution due to rainfall may help sway the averages enough to allow alternative criteria for these bodies of water.

So even with dilution from ECUA's effluent, a rainy summer, and low dissolved oxygen levels naturally occurring in wetlands, IP may have problems demonstrating that they should get "alternative criteria". We will follow this closely. And by the way, the effluent is showing signs of toxicity.

### **AN ALLY**

When we first started our quest for a cleaner Perdido Bay 30 years ago, we assumed that the "stakeholders" in the fight were the environmental groups on Perdido Bay (there were two at the time) versus the paper mill. Were we ever naive! Later, a paper mill spokesperson told me that their "suppliers" would protect them. This would be the people who supply the logs, the people who sell them the chemicals they use (a lot), and the people who supply the coal. And did I mention all the politicians who are put in office by the money provided by the "suppliers"? The political influence is perhaps the most obvious weapon that the paper mill has had. If we were just playing by rules and laws of the nation and state, the paper mill would have been closed long ago.

The paper mill bought a lot of their logs (some times in the form of chips) from the St Joe company and also from Alabama growers in mid and northern Baldwin County. (The St. Joe Company has sold most of their timberlands to the Mormon Church and IP has sold their timberlands to an investment group and the states of Alabama and Florida.) Politically, this is not an insignificant group. When you look at the vast planted forests of pine trees in South, you understand the importance of paper mills. Paper mills provide a market for these forests. People and companies are not going to plant forests if they can not expect to make some profit from growing trees. And it is a long-term investment. Usually it takes 17 years to grow a pine tree to size for pulp wood and about 20 years for timber. Silviculture (growing trees) is a huge business in this country, especially in the South. When you consider that it takes 4.44 tons of softwood chips to produce one air-dried ton of unbleached pulp per day (ADTUPD), and IP is producing 1,800 tons of air-dried pulp per day, you can see the magnitude of the influence. IP uses almost 8,000 tons of pine chips every day. That is a lot of trees.

In the Eastern and Southern parts of the U.S., timberlands are privately owned. In the Western states, a lot of the timberlands are owned by our government. The U.S. government through the Forest Service manages vast tracts of lands for timber, for recreation, for wildlife management. Private timber owners in the South also try and

accommodate hunters. Hunt clubs are formed to rent tracts of timberlands from timber companies. These clubs manage the land for the timber owners and help prevent vandalism in the forest. Timber owners usually get reduced property taxes to help offset some of the long term expenses.

There are academic disciplines which teach how to manage these vast forests. Schools of Forestry at Duke, Yale and other places produce people trained in how to grown and manage these forests. I am sure that these Schools of Forestry realize that their existence depends on paper mills. Matter of fact, it was probably at the one of these Schools, the Yale School of Forestry and Environmental Studies, that this plan for IP to go to a wetland was hatched. Meetings held at Yale in the 1990's formed "new environmental policies". The Advisory Board for the Yale Center for Environmental Reform was composed of both environmental and industry participants - among them Tom Jorling, the IP Vice President of IP who pushed the current wetland plan and Vicky Tschinkel, who was the consultant for Champion who tried and help them get a valid permit. There was also William Reilly, who became EPA director under George Bush, and Frances Beinecke, director of the NRDC. The NRDC was actively involved in promoting the moving of IP's effluent to the wetlands. This Yale initiative promoted "a new way of thinking" about environmental problems. Gone were the old worries about BOD and oxygen depletion, the main problems which paper mills cause. According this group, the American consumer ought to be the target of environmental policies and not big business. This group defined the environmental threats as depletion of the ozone layer, global warming and endocrine disrupters.

However here on Perdido Bay we are still suffering from the "old pollution" problems - dissolved oxygen, too much BOD. And we know that this "old pollution" in which the environmental agencies are no longer interested, is coming from the paper mill. But there is no interest from government agencies in trying to get the paper mill to clean up. The policy makers have decided that these problems are no longer problems. This little bay with this huge polluting paper mill is no longer on the environmental radar, according to a prestigious school of forestry.

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