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DEPARTMENT OF ENVIRONMENTAL QUALITY

Proposed Initial  
Part 70 Air Operating Permits  
& The Associated Environmental  
Assessment Statement

FOR

CHALMETTE REFINING, LLC  
Chalmette Refinery  
Chalmette, St. Bernard Parish, Louisiana

Agency Interest Number 1376  
Units, Permit Numbers & Activity Numbers  
listed in opening remarks.

The public hearing in the above titled  
matter was taken at the St. Bernard Parish  
Council Meeting Room, 8201 W. Judge Perez  
Dr., Chalmette, Louisiana, beginning at 6:00  
p.m. on May 9, 2006.

BEFORE: R. Aaron Palmer, Certified Stenomask  
Reporter In and For the State of

Louisiana

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MR. WARD:

Good evening. Let the record reflect that the time is now 6 p.m. My name is Roger Ward. I am an attorney and I work for the Louisiana Department of Environmental Quality. I will be serving as the hearing officer this evening, Tuesday, May 9, 2006.

This hearing is scheduled to accept public comments concerning the proposed initial Part 70 air operating permits and the associated Environmental Assessment Statement (EAS) for the following eight units: Hydrocracker Unit-Pretreater No. 3-Reformer No. 3-Light Ends Plant, Permit No. 3015-V0, Activity No. PER19960009; Oil Movements and Loading, Permit No. 3004-V0, Activity No. PER19960010; Flares No. 1 & 2, Permit No. 3016-V0, Activity No. PER19960011; Aromatics, Permit No. 3017-V0, Activity No. PER19960012; Sulphur Recovery Unit-Hydrodesulfurization Unit-Amine Treating Unit-Sour Water Stripper-

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Waste Gas System-Benzene Recovery Unit-Liquid Petroleum Gas Recovery, Permit No. 3023-V0, Activity No. PER19960014.

This hearing will also cover these  
Page 2

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5 units previously public noticed on  
6 January 27, and February 10, 2006: Cat  
7 Feed Hydrotreater-Pretreater No. 1  
8 Reformer No. 1 Gasoline Hydrotreater,  
9 Permit No. 3011-V0, Activity No.  
10 PER19960007; Fluidized Catalytic  
11 Cracking Unit & Alkylation Unit, Permit  
12 No. 3022-V0, Activity No. PER19960013;  
13 and, finally, No. 1 Crude/Coker Unit,  
14 Permit No. 3018-V0, Activity No.  
15 PER19960008.

16 The Agency Interest No. is 1376.  
17 All units are located in the Chalmette  
18 Refinery. The site is located at 500  
19 West St. Bernard Highway, on the left  
20 descending bank of the Mississippi River  
21 at Mile 89 above Head-of-Passes in  
22 Chalmette, St. Bernard Parish,  
23 Louisiana.

24 Chalmette Refining, LLC, is a joint  
25 venture between ExxonMobil Corporation

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1 and Petroleos de Venezuela, the  
2 Venezuelan National Oil Company.  
3 Chalmette Refinery is an integrated  
4 crude operation (high conversion) which  
5 includes crude distillation, catalytic  
6 reforming, fluid catalytic cracking  
7 (FCC), hydrocracking, HF alkylation,  
Page 3

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8 delayed coking, and aromatics processing  
9 units. The refinery is capable of  
10 producing gasoline, diesel,  
11 benzene/toluene/xylene (BTX),  
12 distillates and sulfur recovery as well  
13 as by-products such as petroleum coke  
14 and LPG.

15 Chalmette Refining, LLC, proposes to  
16 bring the previously listed units under  
17 Part 70 air permitting requirements.

18 The Environmental Assessment  
19 Statement (EAS) submitted by the  
20 applicant addresses avoidance of  
21 potential and real environmental  
22 effects, balancing of social and  
23 economic benefits against environmental  
24 impact costs, and alternative sites,  
25 projects, and mitigative measures.

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1 This hearing is not being conducted  
2 in a question and answer format. Please  
3 remember that the purpose of this  
4 hearing is for DEQ to receive your  
5 comments concerning the proposed initial  
6 Part 70 air operating permits and the  
7 associated Environmental Assessment  
8 Statement.

9 This hearing is to provide all  
10 individuals a chance to be heard

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11 regardless of their position on the  
12 proposed initial Part 70 air operating  
13 permits and the associated Environmental  
14 Assessment Statement.

15 Courteous behavior is expected of  
16 everyone at all times. You may speak in  
17 support of the permit; in opposition to  
18 the permit; or simply to provide  
19 additional information. All interested  
20 parties will be given a reasonable  
21 opportunity to comment, unless testimony  
22 is not related to the purpose of the  
23 hearing. Your comments will be  
24 evaluated and addressed in the  
25 Department's written response.

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1 A public notice advertising this  
2 public hearing and request for public  
3 comment on the proposed initial Part 70  
4 air operating permits and the associated  
5 Environmental Assessment Statement was  
6 published in The St. Bernard Voice,  
7 Arabi, Louisiana; The Times-Picayune,  
8 New Orleans, Louisiana; the Plaquemine  
9 Gazette, Belle Chasse, Louisiana; and  
10 The Advocate, Baton Rouge, Louisiana, on  
11 March 24, 2006, and April 7, 2006. A  
12 copy of the proposed initial Part 70 air  
13 operating permits and the Environmental

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14 Assessment Statement is available for  
15 inspection and review at the LDEQ,  
16 Public Records Center, Room 127, 602  
17 North 5th Street, Baton Rouge, Louisiana.  
18 Viewing hours are 8:00 a.m. to 4:30  
19 p.m., Monday through Friday, except  
20 holidays.

21 Additional copies may be reviewed at  
22 the following locations: St. Bernard  
23 Parish Council Office, 8201 West Judge  
24 Perez Drive, Chalmette, Louisiana;  
25 Plaquemines Parish Library, Belle Chasse

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1 Branch, 8442 Highway 23, Belle Chasse,  
2 Louisiana; New Orleans Public Library,  
3 Headquarters, 219 Loyola Avenue, New  
4 Orleans, Louisiana; East Baton Rouge  
5 Parish Library, Headquarters, 7711  
6 Goodwood Boulevard, Baton Rouge,  
7 Louisiana; LDEQ Southeast Regional  
8 Office Mandeville, 645 N. Lotus Drive,  
9 Suite C, Mandeville, Louisiana; and  
10 Bayou Lafourche Regional Office, 110  
11 Barataria Street, Lockport, Louisiana.

12 In addition, copies of the public  
13 notice were mailed to individuals who  
14 have requested to be placed on the  
15 mailing list maintained by the Office of  
16 Environmental Services on March 24,

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17 2006.  
18 In accordance with Louisiana  
19 Administrative Code, Title 33, Part III,  
20 Sections 531.A.3.C, comments received by  
21 12:30 p.m., Monday, May 15, 2006, will  
22 be considered prior to a final decision.  
23 All comments received by 12:30 p.m.,  
24 Monday, May 15, 2006, shall be retained  
25 by the Department and considered in

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1 determining whether to issue or deny the  
2 proposed initial Part 70 air operating  
3 permits and the associated Environmental  
4 Assessment Statement.

5 Written comments on the proposed  
6 initial Part 70 air operating permits  
7 and the associated Environmental  
8 Assessment Statement may be submitted to  
9 Ms. Soumaya Ghosn, LDEQ-Office of  
10 Environmental Services, Environmental  
11 Assistance Division, P.O. Box 4313, Baton  
12 Rouge, Louisiana 70821-4313.

13 Under Louisiana Revised Statutes  
14 30:2017, as revised by the Legislature  
15 in the 2004 session, the Department is  
16 required to adhere the following order  
17 with the provision that the presiding  
18 officer may give preference to a public  
19 official to speak at any time during the  
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20 hearing. However, any time limit set  
21 for citizen testimony shall apply to  
22 public officials.

23 The Department must provide up to 30  
24 minutes to the permit applicant for an  
25 introductory presentation. Thereafter,

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1 preference for speaking up to one hour  
2 is given as follows:

3 For the first hour, to those  
4 citizens who live within a two-mile  
5 radius of the location of the facility;

6 For the second hour, to those  
7 citizens who work within a two-mile  
8 radius of the location of the facility;

9 For the third, hour, to those  
10 citizens who live within the parish of  
11 the location of the facility.

12 Thereafter, each hour of the hearing  
13 shall alternate between those who are in  
14 support of the proposed initial Part 70  
15 air operating permits and the associated  
16 Environmental Assessment Statement and  
17 those who are opposed to the proposed  
18 initial Part 70 air operating permits  
19 and the associated Environmental  
20 Assessment Statement. The order of  
21 tonight's hearing will be based on the  
22 information provided by the speaker on

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23 the registration form. Anyone who  
24 registered to speak but did not provide  
25 the necessary information will be given

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1 the opportunity to speak; however, they  
2 will be called last in the order of  
3 registration.

4 This hearing is being transcribed;  
5 therefore, before you speak I will ask  
6 that each of you identify yourself by  
7 name, address, and organization you may  
8 represent.

9 I would like to remind you to turn  
10 your cell phones off. Thank you.

11 At this time, I would like to call  
12 the permit applicant's representative to  
13 come forward and make their introductory  
14 presentation. Thank you.

15 MS. WALK:

16 My name is Charlene Walk. I'm  
17 representing Chalmette Refinery, LLC,  
18 which is located at 500 West St. Bernard  
19 Highway in Chalmette, St. Bernard  
20 Parish, Louisiana.

21 Thank you, Mr. Hearing Officer. We  
22 appreciate the opportunity to comment on  
23 the matter before you.

24 As I mentioned, my name is Charlene  
25 Walk. I am the Title V coordinator at  
Page 9

1 the Chal mette Refi nery, LLC, l oca ted at  
2 500 West St. Bernard Hi ghway, Chal mette,  
3 Sai nt Bernard Pari sh, Loui si ana. I am  
4 gl ad to be here thi s eveni ng to make a  
5 short statement for the record  
6 descri bi ng the next appli ca ti ons that  
7 Chal mette Refi ni ng has submi tted to the  
8 LDEQ for Ti tle V permi ts. Thi s heari ng  
9 wi ll cover the l ast ei gh t of the el e ven  
10 Ti tle V appli ca ti ons. The se Ti tle V  
11 appli ca ti ons i ncl ude the fol lo wi ng:  
12 No. 1 - The Cat Feed Hydrotreater /  
13 No. 1 Pretreater / No. 1 Reformer &  
14 Gasol i ne Hydrotreater Uni ts;  
15 No. 2 - The No. 1 Crude/Coker  
16 Uni ts;  
17 No. 3 - The Hydrocracker / No. 3  
18 Pretreater / No. 3 Reformer Uni ts &  
19 Li gh t Ends Pl ant;  
20 No. 4 - The Fl ui di zed Catal yti c  
21 Cracki ng & Al kyl ati on Uni ts;  
22 No. 5 - The Sul fur Recovery /  
23 Hydrodesul furi za ti on / Ami ne Treati ng /  
24 Sour Water Stri pper / Waste Gas System /  
25 Benzene Recovery & Li quefi ed Petrol eum

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1 Gas Recovery Units;  
2 No. 6 - The Aromatics Unit;  
3 No. 7 - The No. 1 and No. 2 Flares  
4 and;  
5 No. 8 - The Oil Movements and  
6 Loading Areas.  
7 First, I would like to provide a  
8 little background on the Title V process  
9 and tell you what Chalmette Refining is  
10 doing to comply with these requirements.  
11 The Federal Clean Air Act Amendments  
12 required the EPA to consolidate  
13 regulatory actions at facilities to  
14 standardize the permitting process and  
15 combine emission limits, controls,  
16 monitoring, recordkeeping and reporting  
17 into one document to serve as a single  
18 point of reference for regulators and  
19 the public. The Title V permitting  
20 approach is the process by which this is  
21 accomplished. The Federal EPA Air  
22 Program is administered in Louisiana by  
23 the Louisiana Department of  
24 Environmental Quality.  
25 Chalmette Refining previously

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1 submitted consolidated Title V  
2 applications in 1996 and 1999. Starting

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3 in 2003, Chalmette Refining began the  
4 process to amend the Title V  
5 applications. A decision was made to  
6 divide the refinery into eleven separate  
7 areas to facilitate the preparation of  
8 individual Title V applications. The  
9 eight applications referenced above are  
10 the last eight of the Title V  
11 applications to be processed by the LDEQ  
12 for the Chalmette refinery. Three  
13 previously submitted Title V  
14 applications have been issued as  
15 permits; one for the Utilities Areas,  
16 one for the No. 2 Crude/Coker Units and  
17 one for the Waste Water Treatment Plant.

18 The refinery organized teams  
19 consisting of process, maintenance,  
20 operations and regulatory personnel to  
21 prepare the information required for the  
22 applications. Each team evaluated each  
23 piece of equipment in their areas to  
24 determine the amount and composition of  
25 any emissions. In addition, normal

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1 maintenance and periodic turnaround  
2 activities were evaluated to define  
3 frequency and amounts of emissions  
4 associated with these activities.

5 The teams utilized all of the

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6 gathered information to prepare the  
7 various sections comprising the  
8 application and document the emissions  
9 associated with the activities in these  
10 areas. Each application contains an  
11 introductory section where the  
12 background, facility location and  
13 description of the processes that are  
14 included in the application are  
15 described. In this section, Chalmette  
16 Refining indicates that in addition to  
17 fulfilling the requirements for a Title  
18 V permit application, a number of  
19 changes were also incorporated. These  
20 included: (1), separating the previously  
21 submitted consolidated permit  
22 application into eleven areas, as I  
23 mentioned before, (2) updating emission  
24 source estimating methodologies such as  
25 updating factors and calculational

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1 procedures, (3) revising information  
2 from existing permits and revising  
3 emission source calculations to reflect  
4 current operating levels, (4) describing  
5 project design changes for projects that  
6 were previously permitted, (5)  
7 incorporating proposed projects, (6)  
8 deleting emission sources that are no

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9 longer in operation, (7) updating the  
10 facility minor emissions sources and  
11 Insignificant Activity List, (8)  
12 incorporating previous small source  
13 permits and finally, (9) incorporating  
14 existing sources that were not  
15 previously permitted and last, proposing  
16 several specific permit conditions.

17 The projects described in the  
18 introductory section of the applications are  
19 summarized as follows. The Fluidized  
20 Catalytic Cracking Unit (FCC) application  
21 includes the addition of the Oxygen  
22 Enrichment and Turnaround Projects. The  
23 primary purpose of the Oxygen Enrichment  
24 Project is to enrich the air sent to the  
25 regenerator with oxygen to improve

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1 combustion, increase unit conversion and  
2 thereby raise the unit capacity by  
3 approximately 5,000 barrels per day. The  
4 project consists of the installation of new  
5 piping, new internal parts for some of the  
6 major equipment such as the reactor and the  
7 Main Fractionator, and replacement of  
8 several components due to age or  
9 deterioration. The primary purpose of the  
10 Turnaround Project is to improve  
11 performance, provide spare capacity and

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12 decrease energy usage. The project consists  
13 of the replacement of the internal riser in  
14 the Reactor, installation of a new spare  
15 pump in the Slurry Pump-Around system,  
16 installation of a new exchanger and  
17 associated piping and instrumentation. The  
18 emission impacts from these projects have  
19 been evaluated and confirmed to be below  
20 threshold levels.

21 The Sulfur Recovery Unit (SRU)  
22 application includes the addition of the  
23 Ultra Low Sulfur Diesel Project and the  
24 Sulfur Pit Gas Recovery Project. The  
25 primary purpose of the Ultra Low Sulfur

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1 Diesel Project is to allow the refinery  
2 to produce low sulfur diesel in  
3 compliance with the EPA highway diesel  
4 regulations that go into effect in 2006.  
5 The project consists of the installation  
6 of a new larger hydrodesulfurization  
7 reactor, a new recycle gas scrubber and  
8 associated piping. The primary purpose  
9 of the Sulfur Pit Gas Recovery Project  
10 is to recover vapors from the SRU sulfur  
11 pits and recycle them back to the SRU  
12 for processing. The project consists of  
13 the installation of a new blower or  
14 eductor and associated piping. The

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15 emission impacts from these projects  
16 have been evaluated and confirmed to be  
17 below threshold levels and include a  
18 significant reduction in sulfur  
19 emissions.

20 The Flare application includes the  
21 installation of the previously approved  
22 Flare Gas Management Project. The  
23 primary purpose of the project is to  
24 reduce flaring and associated emissions  
25 from both flares. The project consists

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1 of the installation of gas recovery  
2 compressors, a new amine contactor  
3 (included in SRU application), a  
4 hydrogen sulfide monitoring system and  
5 associated piping and instrumentation.  
6 The emission impacts from this project  
7 has been evaluated and confirmed to be  
8 below threshold levels and includes a  
9 significant reduction in sulfur  
10 emissions.

11 The Oil Movements application  
12 includes installation of carbon canister  
13 controls on several storage tanks,  
14 accounting for loading changes due to  
15 other projects, and conversion of an  
16 MTBE line to diesel service.

17 In the next section of the

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18 applications, information is provided on  
19 the emission sources in the areas and  
20 the methods used to determine the  
21 emissions associated with each piece of  
22 equipment. Emission sources are  
23 organized into several categories such  
24 as combustion sources, vents, product  
25 loading, storage tanks, process fugitive

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1 components, and Insignificant Activities  
2 and minor emission sources.

3 The next several sections of the  
4 applications define the applicable  
5 Louisiana and Federal air quality  
6 regulatory requirements by regulation  
7 and by source.

8 The next section of the applications  
9 contains the certification of compliance  
10 statement and an attestation from the  
11 responsible official, in our case the  
12 refinery manager, that the information  
13 provided in each application is true,  
14 accurate and complete.

15 The last several sections of the  
16 applications document the specific  
17 emissions associated with each emission  
18 source. In addition, information is  
19 provided on the specific source stack  
20 characteristics, flow parameters and

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21 operating conditions, where applicable.  
22 Several appendices are included in  
23 each application to provide additional  
24 information. The first appendix  
25 provides sample calculations detailing

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1 the approach used to generate the  
2 emissions for each type of source. This  
3 appendix also includes a summary of the  
4 emission changes due to projects.

5 The second appendix provides details  
6 on the types of activities, frequencies  
7 of occurrence and emissions associated  
8 with minor emissions sources and  
9 Insignificant Activities.

10 The third appendix lists several  
11 proposed specific permit conditions that  
12 Chalmette Refining is requesting to be  
13 included in the proposed permits. In  
14 addition, this section contains an  
15 analysis of existing permit specific  
16 conditions that pertain to the areas and  
17 the revisions that Chalmette Refining is  
18 requesting.

19 The fourth appendix contains the  
20 Associated Environmental Assessment  
21 Statement which addresses avoidance of  
22 potential and real environmental  
23 effects, balancing of social and

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economic benefits against environmental  
25 impact costs, and alternative sites,

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1 projects, and mitigation measures. This  
2 section demonstrates that any potential  
3 environmental impacts resulting from  
4 these unit operations have been  
5 considered and minimized. The section  
6 addresses in detail the five  
7 "Environmental Impact Questions." The  
8 responses to the questions indicate that  
9 the equipment associated with these  
10 areas is operated efficiently to reduce  
11 emissions and utilizes clean burning  
12 refinery fuel gas as the heat source for  
13 the heaters. The emissions from the  
14 equipment will be controlled to levels  
15 required by the applicable regulations.

16 The equipment is located within the  
17 refinery, which is zoned as an  
18 industrial area. Solid waste generation  
19 is expected to be minimal and will be  
20 treated and disposed of in accordance  
21 with applicable Federal, State and Local  
22 laws and regulations. There is no  
23 onsite treatment or disposal of solid  
24 and/or hazardous wastes. Any wastewater  
25 generated by the equipment will be

1 treated in the refinery's existing Waste  
2 Water Treatment System, which complies  
3 with the applicable water discharge  
4 permit limits. Storm water is likewise  
5 handled by existing systems and is  
6 collected and discharged in accordance  
7 with the discharge permit. Water  
8 required by the equipment will be  
9 provided by existing refinery water  
10 treatment systems. There are no  
11 significant ecological impacts expected  
12 from operation of the equipment in these  
13 areas. Finally, continued operation of  
14 the referenced units and areas will  
15 likely result in positive socioeconomic  
16 impacts on the local, regional, and  
17 state economy through wages, operational  
18 and capital spending and tax revenues.

19 Chalmette Refining is committed to  
20 improving the performance of the  
21 refinery and is investing over \$200  
22 million on environmental projects to  
23 reduce emissions and improve operational  
24 performance. As part of this, Chalmette  
25 Refining has completed the installation

1 and initial operation of three local air  
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2 monitoring sites. In addition,  
3 Chalmette Refining provides a number of  
4 benefits to the local community through  
5 direct contributions to local  
6 organizations, and ongoing outreach  
7 programs.

8 The fifth and last appendix contains  
9 Chalmette Refining's analysis of  
10 potential compliance issues and proposed  
11 actions to resolve these compliance  
12 issues.

13 As you can see, the development of  
14 the applications for the referenced  
15 units and areas was a major undertaking  
16 that required a number of people over  
17 several months. The culminations of  
18 these efforts are the applications and  
19 resulting draft permits that are being  
20 discussed today.

21 Chalmette Refining is making  
22 significant efforts to lower emissions  
23 from our operations. We feel that our  
24 employees and neighbors deserve nothing  
25 less.

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1 Thank you for your attention.

2 MR. WARD:

3 Thank you, Ms. Walk.

4 I have one speaker. Mr. Ford, the  
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5 floor is yours.

6 MR. FORD:

7 My name is Kenneth Ford. I live at  
8 number 12 Carroll Drive in Chalmette. I  
9 am the president of St. Bernard Citizens  
10 for Environmental Quality, and I  
11 represent myself and our membership. I  
12 would like to read this to you.

13 The members of St. Bernard Citizens  
14 for Environmental Quality object to the  
15 issuance of these permits. In the past,  
16 Chalmette Refinery has emitted large  
17 amounts of petroleum coke, chemicals and  
18 obnoxious odors into the community. DEQ  
19 has not fulfilled their obligations of  
20 their mission.

21 Title 33, Environmental Quality Part  
22 III, Air, Chapter 1 Authority General  
23 Provisions Paragraph 101. By virtue of  
24 R. S. 30.2011, the Air Quality Program  
25 within the Department of Environmental

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1 Quality was established with the intent  
2 and purpose of maintaining the purity of  
3 the air resources of the state of  
4 Louisiana consistent with the protection  
5 of the health and physical property of  
6 the people. Louisiana DEQ's mission  
7 stated in Title 33 - The Department's

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8 mission is to provide to the people of  
9 Louisiana through comprehensive  
10 environmental protection in order to  
11 promote and protect health, safety and  
12 welfare while consider policies  
13 regarding employment and economic  
14 development.

15 40 CRF Part 70, Page 1, Paragraph  
16 "E" - This permit does not convey any  
17 property rights of any sort, or an  
18 exclusive privilege.

19 Louisiana Air Emission Permits,  
20 General Conditions, Page 9, Paragraph  
21 XVII, No. 1 - This general condition  
22 does not authorize the maintenance of a  
23 nuisance or a danger to public health  
24 and safety. Louisiana DEQ refuses to  
25 address Chalmette Refinery

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1 nuisances/public nuisance complaints.

2 Title 33, Part III Definitions, Page  
3 5: Nuisance - anything that unlawfully  
4 worketh hurt, inconvenience, or damage.  
5 Page 6: Public Nuisance - any condition  
6 of the ambient air beyond the property  
7 line of the offending person which is  
8 offensive to the senses, or which causes  
9 or constitutes an obstruction to the  
10 free use of property, so as to interfere

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11 with the comfortable enjoyment of life  
12 or property.

13 Chalmette Refinery reported to  
14 Louisiana DEQ in these permits (Page 6  
15 of 8 Public Notice the initial Part 70  
16 air operating permit application) "the  
17 Environmental Impact submitted by  
18 the applicant addresses "avoidance" of  
19 potential and real environmental  
20 problems.

21 Chalmette Refinery has reported to  
22 Louisiana DEQ many times that they have  
23 had problems with parts of their  
24 operation (coker unit and more) and  
25 discharged particulates, Petroleum coke

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sic

1 that have caused obnoxious odors,  
2 (Hydrogen Sulfide, Toluene, and other  
3 chemicals) causing a nuisance or public  
4 nuisance as defined in Louisiana DEQ's  
5 regulations Title 33... to the Chalmette  
6 Vista's community.

7 These permits give Chalmette  
8 Refinery permission to create a  
9 nuisance. These permits give Chalmette  
10 Refinery permission to cause a public  
11 nuisance. These permits give Chalmette  
12 Refinery permission to discharge to the

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13 atmosphere 376,060 pounds of PM10 is  
14 unacceptable. The amounts of PM10  
15 discharges in these permits are  
16 extremely high. 376,060 pounds per year  
17 (158.03 tons per year), and the amounts  
18 of SO<sub>2</sub>, 587,680 pounds per year (293.84  
19 tons per year).

20 Questions. No. 1 - Title 33, Part  
21 III states the mission and statements of  
22 DEQ. Title 33, Part III states, "no one  
23 can cause a nuisance or public  
24 nuisance." Chalmette Refinery has  
25 created nuisances to the residents in

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1 Chalmette Vista and other sections of  
2 St. Bernard Parish.

3 Louisiana DEQ's definition of a  
4 nuisance and public nuisance, "any  
5 condition of the ambient air beyond the  
6 property line of the offending person  
7 which is offensive to the senses, or  
8 which causes or constitutes an  
9 obstruction to the free use of property,  
10 so as to interfere with the comfortable  
11 enjoyment of life or property." Some  
12 people have left St. Bernard Parish  
13 because DEQ is not protecting them.  
14 Some past complaints to Louisiana DEQ  
15 from residents in Chalmette Vista to

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16 Louisiana DEQ are "We cannot open our  
17 windows at times because of obnoxious  
18 odors. At times our children can not go  
19 outside and play because of these  
20 obnoxious odors. These obnoxious odors  
21 are getting us sick."

22 Why has Louisiana DEQ not enforced  
23 these regulations in the past? How will  
24 Louisiana DEQ enforce nuisance  
25 regulations if these permits are issued

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1 to Chalmette Refinery? Are the  
2 permitted PM10 and SO2 levels extremely  
3 high so Chalmette Refinery does not  
4 violate these permits? How will the  
5 daily accumulative totals of PM10 be  
6 kept? What department of Louisiana DEQ  
7 will be responsible for this log? Where  
8 will these amounts be viewed? The  
9 drafters of these permits, who are they?  
10 Are they Chalmette residents or the  
11 Louisiana DEQ or the Chalmette Refinery?  
12 Are the writers of this permit aware of  
13 Louisiana DEQ's mission and statements?

14 Chalmette Refinery's fence line is  
15 next to historical park Packenham Oaks.  
16 Chalmette Refinery is near Chalmette  
17 National Cemetery and Chalmette  
18 Battleground. Chalmette Refinery is next

19 de1.txt  
to St. Bernard parish prison (fence  
20 line).  
21 Louisiana DEQ should know, it is  
22 impossible for Chalmette Refinery in  
23 these permits to discharge over 376,060  
24 pounds of PM10 particulate and SO2 to  
25 the atmosphere without creating a

□

30

1 nuisance or public nuisance. Louisiana  
2 DEQ is understaffed and underfunded.  
3 Louisiana DEQ - Chalmette Vista's and  
4 St. Bernard must be protected by  
5 Louisiana DEQ. Louisiana DEQ must  
6 enforce all of their regulations  
7 (nuisance or public nuisance included).  
8 Louisiana DEQ should require Chalmette  
9 Refinery to create a buffer zone.  
10 Louisiana DEQ must deny these permits  
11 until these problems created by  
12 Chalmette Refinery are corrected.

13 Now, in that Impact Statement, it  
14 was saying "economic difference," you  
15 know. Well, we've got right now a  
16 trailer club with over 500 people that  
17 are displaced from their homes living in  
18 an area where samples were taken with  
19 chemicals. And for them to say  
20 "avoidance," and that it's - that for  
21 them to create these problems is worth

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22 the oil tank - Well, I live there and I  
23 have children. They moved out the  
24 parish because of the odors. And I have  
25 many people in my community - parish

□

31

1 are sick. Many people in St. Barnard  
2 Parish - Asthma is very high compared  
3 to other states. There is a problem.  
4 Now, I realize - I don't think DEQ  
5 gives Chalmette Refinery permission to  
6 go beyond their property line. If so,  
7 they're not enforcing their regulation.  
8 So I'm going to say, if there was a  
9 buffer zone, and it was on Chalmette's  
10 property - Believe me, I know we need  
11 the refineries. They create good jobs;  
12 they employ a lot of people. We need  
13 them. They make - I had a left lung  
14 taken out and we used products from the  
15 refinery in the past to sew up me  
16 and do my operation. But we don't -  
17 They need a buffer zone. I don't think  
18 everybody is actually respon - aware  
19 the industrial area that they're  
20 referring to, the fence line on the  
21 other side is residential property north  
22 of the refinery. There's restaurants  
23 there and I don't think everybody's  
24 aware of this. Now, anyway, that's what

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25 I have to say, and I appreciate having

□

sic

1 the time to address you. Thank you.

2 MR. WARD:

3 Mr. Ford, would you like to enter  
4 that as an exhibit into the transcript?

5 MR. FORD:

6 Yes, sir.

7 MR. WARD:

8 Well, let the record reflect that  
9 I'm going to mark that as Exhibit A, and  
10 it will be attached to the transcript.

11 Is there anybody else who would like  
12 to speak?

13 The time is now 6:37. The DEQ  
14 policy is to remain open at least one  
15 hour, so you are welcome to stay. If  
16 nobody else shows up, we will close it  
17 down at 7:00. If anybody else would  
18 like to speak you are welcome to do so.  
19 We'll break right now.

20 (Whereupon a break was taken.)

21 MR. WARD:

22 I would like to remind you that the  
23 comment period for the proposed initial  
24 Part 70 air operating permits and the  
25 associated Environmental Assessment

□

1 Statement for Chalmette Refining, LLC,  
2 Chalmette Refinery, ends at 12:30 p.m.,  
3 Monday, May 15, 2006.

4 Due to the situation in St. Bernard  
5 Parish after the hurricanes and to  
6 assure a better opportunity for the  
7 public to attend this public hearing,  
8 LDEQ will hold this public hearing again  
9 on May 11, which is this Thursday, in  
10 Baton Rouge, Louisiana, to receive  
11 comments regarding the proposed permits  
12 for Chalmette Refinery.

13 I have received a total of 1 exhibit  
14 during this hearing, which has been  
15 marked Exhibit A.

16 If there are no other comments, I  
17 would like to thank you for your  
18 attention and participation in this  
19 hearing. Anybody else have any  
20 comments?

21 Let the record reflect that the time  
22 is 6:59 p.m.

23 Thank you. This hearing is closed.

24 WHEREUPON, AT 6:59 P.M. THE HEARING ENDED.

25

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2 I, R. Aaron Palmer, Certified Court  
3 Reporter, in and for the State of Louisiana,  
4 the officer, as defined in Rule 28 of the  
5 Federal Rules of Civil Procedure and/or  
6 Article 1434 (b) of the Louisiana Code of  
7 Civil Procedure, before whom this sworn  
8 testimony was taken, do hereby state on the  
9 Record:

10 That due to the interaction in the  
11 spontaneous discourse of this proceeding,  
12 dashes ( - ) have been used to indicate  
13 pauses, changes in thought, and/or  
14 talkovers; that same is the proper method  
15 for a Court Reporter's transcription of the  
16 proceeding, and that the dashes ( - ) do not  
17 indicate that words or phrases have been  
18 left out of this transcript;

19 That any words and/or names which  
20 could not be verified through reference  
21 material have been denoted with the phrase  
22 "(phonetic)."

23  
24  
25 R. Aaron Palmer

▯

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1 Certified Court Reporter  
2 Louisiana License #25021  
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1 REPORTER' S CERTI F I C A T E

2

3 This certi fication is valid only for a transcript  
4 accompanied by my original signature and official seal  
5 on this page.

6 I, R. Aaron Palmer, Certi fied Court Reporter, in  
7 and for the State of Loui si ana, as the officer before

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8 whom this matter was taken, do hereby certify that the  
9 foregoing matter was reported by me in the Stenomask  
10 (voice-writing) method, was prepared and transcribed by  
11 me or under my personal direction and supervision, and  
12 is a true and correct transcript to the best of my  
13 ability and understanding;

14 That I am not related to counsel or to the parties  
15 herein; am not otherwise interested in the outcome of  
16 this matter; and am a valid member in good standing of  
17 the Louisiana State Board of Examiners of Certified  
18 Shorthand Reporters.

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R. Aaron Palmer  
Certified Court Reporter  
Louisiana License #25021

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