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DEPARTMENT OF ENVIRONMENTAL QUALITY

Public Hearing

On Proposed Initial Synthetic Minor  
Source Air Operating Permit for  
Plains Marketing, L.P.  
Gibson Terminal  
Gibson, Terrebonne Parish, Louisiana

Agency Interest Number: 146070  
Permit Number: 2880-00373-00  
Activity Tracing Number: PER20060001

The public hearing in the above  
titled matter was taken at the Devon Keller  
Memorial Center - Gibson Gym, 5575 Bayou  
Black Drive, Gibson, Louisiana 70356,  
beginning at 6:08 p.m. on Thursday, October  
18, 2007.

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

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25

1 HEARING

2 MR. REINE:

3 Good evening. Let the Record  
4 reflect that the time is 6:08 p.m.

5 My name is Robert Reine. I am an  
6 employed with the Louisiana Department  
7 of Environmental Quality. I will be  
8 serving as the hearing officer tonight  
9 on Thursday, October 18, 2007.

10 This hearing is scheduled to accept  
11 public comments concerning the Proposed  
12 Initial Synthetic Minor Source Air  
13 Operating Permit for Plains Marketing,  
14 LP, P.O. Box 4648, Houston, Texas 77210;  
15 Agency Interest No. 146070, Permit  
16 Number 2880-00373-00 and Activity  
17 Tracking Number PER20060001. The  
18 facility is located at 5223 Bayou Black  
19 Drive, Gibson, Terrebonne Parish,

20 Louisiana.

21 Plains Marketing, LP has requested

22 an Initial Synthetic Minor Source Air

23 Operating Permit for Gibson Terminal.

24 Gibson Terminal is a new crude oil

25 terminal. Crude oil will enter the

1 facility and leave the facility by

2 pipeline.

3 This proposed initial permit will  
4 cover will cover the construction of  
5 four 300,000 barrel external floating  
6 roof tanks (EQT 01-04) that will be used  
7 to store crude oil. The total facility  
8 throughput represented in the  
9 application is 402 million barrels per  
10 year.

11 This hearing is not being conducted  
12 in a question and answer format. Please  
13 remember that the purpose of the public  
14 is for the DEQ to receive your comments  
15 concerning the Proposed Initial  
16 Synthetic Minor Source Air Operating  
17 Permit, and this hearing is to provide  
18 all individuals a chance to be heard  
19 regardless of their position on the

20 Proposed Permit.

21 Courteous behavior is expected by

22 everyone at all times. You may speak in

23 support of, in opposition to, the

24 Proposed Permit; or simply to provide

25 additional information. All interested

1 persons will be given a reasonable  
2 opportunity to comment, unless testimony  
3 is not related to the purpose of this  
4 hearing. Your comments will be  
5 evaluated and addressed by the  
6 Department via a written response.

7 A public notice advertising this  
8 public hearing and request for public  
9 comment on the Proposed Initial  
10 Synthetic Minor Source Air Operating  
11 Permit was published on Monday,  
12 September 17, 2007, in The Courier,  
13 Houma, Louisiana, and also in The  
14 Advocate, Baton Rouge, Louisiana.

15 A copy of the material associated  
16 with the Proposed Permit is available  
17 for inspection and review at the LDEQ,  
18 Public Records Center, Room 127, 602  
19 North 5th Street, Baton Rouge, Louisiana.

20 Viewing hours are from 8:00 a.m. to 4:30  
21 p.m., Monday through Friday, except  
22 holidays. Additional copies are  
23 available for review at the Terrebonne  
24 Parish Library, Gibson Branch, 6363  
25 South Bayou Black Drive, Gibson,

1 Louisiana 70356.

2 The available information can also  
3 be accessed electronically on the  
4 Electronic Document Management System  
5 (EDMS) on the DEQ public website at  
6 [www.deq.louisiana.gov](http://www.deq.louisiana.gov).

7 In addition, copies of the Public  
8 Notice announcing this Public Hearing  
9 were mailed via the U.S. Postal Service,  
10 and via e-mail, on Monday, September 17,  
11 2007, to individuals who have requested  
12 to be placed on the mailing list  
13 maintained by the Office of  
14 Environmental Services.

15 In accordance with the Louisiana  
16 Administrative Code, Title 33, Part III,  
17 Section 531.A.3.c, comments received by  
18 12:30 p.m., Monday, October 22, 2007,  
19 will be considered prior to a final

20 decision. All comments received by  
21 12:30 Monday, October 22, 2007, shall be  
22 retained by the Department and  
23 considered in the determination of  
24 whether to issue or deny the Proposed  
25 Initial Synthetic Minor Source Air

1 Operating Permit.

2 Written comments on the Proposed  
3 Initial Synthetic Minor Source Air  
4 Operating Permit may be submitted to Ms.  
5 Soumaya Ghosn, LDEQ-OES, Environmental  
6 Assistance Division, P.O. Box 4313,  
7 Baton Rouge, Louisiana 70821-4313.

8 Under the Louisiana Revised Statute  
9 30:2017, as revised by the legislature  
10 in the 2004 session, the Department is  
11 required to follow the following order  
12 of speakers with the provision that the  
13 presiding officer may give preference to  
14 any public official to speak at any time  
15 during the hearing. However, any time  
16 limit set for citizen testimony shall  
17 also apply to public officials.

18 The Department must provide up to 30  
19 minutes to the permit applicant for an

20 introductory presentation. Thereafter,  
21 preference for speaking up to one hour  
22 is given as follows:  
23 For the first hour, to those  
24 citizens who live within a two-mile  
25 radius of the location of the facility;

1           For the second hour, to those  
2           citizens who work within a two-mile  
3           radius of the location of the facility;

4           And for the third hour, to those  
5           citizens who live within the parish of  
6           the location of the facility.

7           Thereafter, each hour of the hearing  
8           shall alternate between those who are in  
9           support of the Proposed Permit and those  
10          who are opposed to it.

11          The order of speakers for tonight's  
12          hearing will be based on the information  
13          provided by the speaker on the  
14          registration form. Anyone who  
15          registered to speak but did not provide  
16          the necessary information will be given  
17          the opportunity to speak; however, they  
18          will be called last in the order.

19          This hearing is being transcribed;

20           therefore, I ask that each speaker  
21           please speak up and in addition give  
22           their name, address, and any  
23           organization he or she may represent.  
24           Also, this microphone, if you feel the  
25           need to take it off the stand and hold

1           it, keep it close to your mouth so we  
2           can hear you.

3           I also remind you to please turn off  
4           your cell phones, pagers, or other  
5           electronic devices that may interfere  
6           with this hearing.

7           Thank you.

8           At this time, I'd like to call the  
9           permit applicant's representative to  
10          come forward and make their introductory  
11          presentation.

12          MR. ANDERSON:

13          Thank you.

14          My name is Richard Anderson. I'm  
15          the manager of Air Programs for Plains  
16          Marketing in Houston, Texas.

17          My responsibility in Plains is to  
18          seek and obtain air permits for  
19          facilities that we want to build or

20            modify. And so I'm going to talk just a  
21            little bit -- this won't take the full  
22            thirty minutes -- but I know there's  
23            been a lot of confusion about what this  
24            project will entail. There have been  
25            some changes to it. Some of the

1 information that you have is not up-to-  
2 date. So I just wanted to talk for a  
3 few minutes and address a few issues  
4 that I know there's been some confusion  
5 about. These issues are the number of  
6 tanks that are actually going to be  
7 built, or proposed to be built, the  
8 location and concerns surrounding  
9 handling of hazardous waste at the site.

10 The first issue is the number of  
11 tanks that we plan to build. The permit  
12 application that was submitted back in  
13 October of 2006 did represent four large  
14 crude oil storage tanks. At the time  
15 that was considered the best estimate of  
16 what this project would entail. This  
17 has been a very fluid, evolving  
18 situation with this project, and I know  
19 you've heard from other Plains'

20           representatives in recent weeks that the  
21           scope has changed and we are now just  
22           going to build one tank.

23           That is, in fact, correct. We have  
24           not yet modified or amended the permit  
25           application to reflect that, but we are

1 going to do that. We plan to submit an  
2 entirely new application to LDEQ within  
3 the next few weeks that will reflect a  
4 single storage tank.

5 As a result of reducing the number  
6 of storage tanks, the emissions that  
7 we're seeking to have permitted are  
8 going to drop from about 99.5 tons of  
9 VOC to somewhere in the vicinity of 10  
10 to 15 tons per year of VOC or VOCs,  
11 volatile organic compounds. This  
12 represents a decrease of about 85  
13 percent or more from the original scope.

14 And, finally, the emission limits  
15 for the individual toxic compounds that  
16 you may have seen listed in the  
17 application will come down proportional  
18 to the VOC decreases. So the project is  
19 going to be much smaller in scope than

20 what is reflected in that original

21 permit application.

22 This is the latest plot plan that

23 our design engineers are working off of.

24 As you can see, it shows just a single

25 storage tank on the property. And,

1           again, that is our current and final  
2           plan is to build one tank and one tank  
3           only for the foreseeable future.

4           There were also some confusion, I  
5           think, on where the location of the site  
6           would be. The permit application  
7           submitted in October of last year showed  
8           the site close to Greenwood School, and  
9           we have, of course, moved now to the  
10          current location, the address which was  
11          given earlier. The permit application  
12          was not -- The full permit application  
13          was not updated to reflect that. We did  
14          submit a letter to LDEQ with the new  
15          location, so they should have that in  
16          the files. But the original site  
17          location, we do not own it. We have no  
18          ability to do anything at that site.

19          The third issue I just wanted to

20 touch on, there have been some concerns  
21 raised about the handling of hazardous  
22 waste at this facility. Next slide,  
23 please. This facility will be one  
24 storage tank, it will handle crude oil  
25 and crude oil only. Crude oil will come

1 in by pipeline. It will leave by  
2 pipeline. There will be no handling of  
3 crude oil in trucks or railcars or  
4 drums, containers; strictly by pipeline.  
5 You'll never actually see any crude oil  
6 coming in or out of the facility.

7 Crude oil is a commercial product.  
8 It's not a waste. Because it's not a  
9 waste, it can't be classified as a  
10 hazardous waste. So since we're not  
11 handling or processing any hazardous  
12 waste, the one-mile distance limit  
13 that's been mentioned for the siting of  
14 hazardous waste facilities does not  
15 apply to this project.

16 And that was all the comments that I  
17 had.

18 Thank you.

19 MR. REINE:

20                   If anyone can't hear me from this  
21                   location, I'm going to try to speak over  
22                   here because the microphone is not  
23                   working that well.  
24                   Given the number of speakers that we  
25                   have here tonight, I'm going to give

1 each individual three minutes to speak.  
2 However, once we've gone through the  
3 stack of speakers that want to speak,  
4 we'll go back and give those that want  
5 extra time additional time. I'm going  
6 to call on those individuals that live  
7 within a two-mile radius of the  
8 facility.

9 The first individual is Douglas  
10 Daigle.

11 MR. DAIGLE:

12 Doug Daigle, Sr., 5235 Bayou Black  
13 Drive, Gibson, Louisiana 70356.

14 I am opposed to the issuance of any  
15 permit for this project because I feel  
16 industries that emit harmful toxics into  
17 our air should be located at least one  
18 mile from residents or schools. It is  
19 incomprehensible to me to see how LDEQ

20 can allow a company to place 212 feet in  
21 diameter x 50 feet tall oil storage  
22 tanks near schools or in the middle of a  
23 residential area.

24 I have a report from Wilma Subra, a  
25 New Iberia chemist, which I will read in

1 part about this injustice. I will  
2 request the entire report become part of  
3 the file of this hearing. It is  
4 addressed to LDEQ, Public Participation  
5 Group, Baton Rouge, Louisiana.

6 Plains Marketing is proposing to  
7 permit, construct and operate the Gibson  
8 Terminal which will consist of four  
9 crude oil storage tanks. The permit  
10 application from Plains was dated and  
11 received by LDEQ on October 17, 2006.

12 Three days later, LDEQ issued the  
13 Administrative Completeness  
14 Determination on October 20, 2006.

15 The third document in the LDEQ EDMS  
16 is a letter from LDEQ Secretary, Mike  
17 McDaniel, dated November 9, 2006, to  
18 Representative Damon Baldone of Houma  
19 concerning a letter from Representative

20 Baldone dated October 13, 2006. The  
21 letter from Representative Baldone  
22 apparently relayed concerns expressed by  
23 several Baldone constituents regarding  
24 the environmental impact of the proposed  
25 Plains crude oil storage tanks.

1 Secretary McDaniel provided  
2 Representative Baldone information on  
3 the permit review process, documents,  
4 and public involvement requirements.  
5 Secretary McDaniel's letter concluded  
6 with the statement "In conclusion, LDEQ  
7 is committed to administering and  
8 enforcing the environmental laws of this  
9 state to ensure the maintenance of a  
10 healthful and safe environment in  
11 Louisiana."

12 On February 6, 2007, Plains sent a  
13 letter to LDEQ stating that subsequent  
14 to submitting an air permit application  
15 to LDEQ in October 2006, Plains  
16 encountered local opposition to the  
17 siting of the facility and now has  
18 decided to relocate the facility  
19 approximately one mile west of the

20 original location. According to the  
21 information referred to in  
22 Representative Baldone's letter of  
23 October 13th, Plains encountered local  
24 opposition to the siting of the facility  
25 prior to submittal of the air permit

1 application received by LDEQ on October  
2 17, 2006. Local opposition to the  
3 siting of the facility at the new  
4 location, which is subject to this  
5 public hearing, is even stronger, as we  
6 can see here today, than the first time.  
7 Based on Plains previous relocation  
8 response to local opposition, Plains  
9 should withdraw this permit application.

10 MR. REINE:

11 Mr. Daigle, that's time.

12 MR. DAIGLE:

13 What's that?

14 MR. REINE:

15 That's time. You can get back up in  
16 a minute.

17 Again, you will have time after your  
18 initial three minutes if you would like  
19 to speak later. Also, if you have any

20 exhibits or documents that you would  
21 like to present to the Department of  
22 Environmental Quality to consider,  
23 please let me know, and you can hand  
24 that to me and we'll mark them.

25 Deanna Daigle.

1 MS. DAIGLE:

2 Deanna Daigle, 5235 Bayou Black  
3 Drive, Gibson, Louisiana 70356.

4 I am opposed to the issuance of any  
5 permit for this project. I reside next  
6 to where the proposed tank farm is to be  
7 located. I am very concerned about the  
8 toxic contents being emitted this close  
9 to my home.

10 At this point and time in my life, I  
11 don't think I should be forced to live  
12 by oil storage tanks nor should I be  
13 forced to move.

14 MR. REINE:

15 Ms. Daigle, will you speak up,  
16 please?

17 MS. DAIGLE:

18 Also, due to extraordinary public  
19 response as defined in Title 33, Chapter

20           15 of the Louisiana Law, I am asking the  
21           LDEQ for a thirty day comment period  
22           after this hearing.

23           Thank you for holding this hearing.

24           MR. REINE:

25           We're going to move it over here so

1 the court reporter can properly

2 transcribe your testimony.

3 I'd ask that you please speak up and

4 into the microphone so that the court

5 reporter and everyone can hear you.

6 And, additionally, if you do have notes

7 such as Mr. Daigle did, please give

8 those to us so we can go ahead and

9 introduce them to the record.

10 Thank you.

11 Oliver Callahan.

12 MR. CALLAHAN:

13 How are you doing? I'm Orville

14 Callahan. I'm a candidate for sheriff

15 in Terrebonne Parish, and I thank y'all

16 for the opportunity to come here tonight

17 and speak to y'all.

18 I worked in the oil fields in my

19 younger days, and I know that the oil

20 fields are important to us, but we've  
21 got to protect our people. Our citizens  
22 wouldn't want to live next to an oil  
23 tank or have our kids going to school  
24 next to an oil tank.  
25 I'll tell you what I would do as

sic

1 sheriff. I would enforce the traffic  
2 division to buy some scales and make  
3 sure that the big 18-wheelers that pass  
4 (inaudible). The parish paves the  
5 roads, black tops the roads and they  
6 come by and crack them. So I would  
7 definitely be able to (inaudible) scales  
8 and enforce those laws to stop the big  
9 trucks from tearing up our community.

10 And then have the State Police here on  
11 the State side, and, also, we could  
12 enforce the law on this side too.

13 So with that in mind, I would say I  
14 support y'all in being against the  
15 tanks. And I would enforce all the  
16 traffic laws in this area to help the  
17 problem.

18 I thank y'all for your time.

19 MR. REINE:

20 Tommy Savoy.

21 (No response.)

22 MR. REINE:

23 Tommy Savoy.

24 (No response.)

25 MR. REINE:

1 Patricia Newman.

2 We're going to go ahead and take a

3 —

4 I apologize for the delay. We're  
5 going to go and take a five minute  
6 recess so we can change things to this  
7 side so the court reporter can properly  
8 have everything set up.

9 Thank you.

10 (Wherein a short break was taken. After the  
11 break:)

12 MR. REINE:

13 Patricia Newman.

14 MS. NEWMAN:

15 Hello, my name is Pat Newman. My  
16 address 5015 Bayou Black Drive.

17 The American Lung Association's  
18 State of the Air 2007 Report reveals  
19 that air pollution is especially

20 dangerous to children because children's  
21 lungs are still growing. Children don't  
22 behave like adults because they're  
23 outside longer than we are.

24 The American Lung Association State  
25 of the -- our Air 2007 Report warns that

1 air pollution can trigger asthma  
2 attacks, increase respiratory  
3 infections, prevent children's lungs  
4 from developing fully, and increase  
5 school absences. We must protect the  
6 children of Terrebonne Parish.

7 I am opposed to issuance of an air  
8 permit for this project. Our protection  
9 and rights to health, safety, and  
10 welfare must be taken into account. The  
11 Louisiana Constitution provides for the  
12 protection of human health and the  
13 environment. Louisiana Constitution  
14 Article IX, Section 1, adopted 1974,  
15 "The natural resources of the state,  
16 including air and water, and the  
17 healthful, scenic, historic, and  
18 esthetic quality of the environment  
19 shall be protected, conserved, and

20 replenished insofar as possible and  
21 consistent with the health, safety, and  
22 welfare of the people. The legislature  
23 shall enact laws to implement this  
24 policy."  
25 Save Ourselves, Incorporated, versus

1 the Louisiana Environmental Control  
2 Commission, now the LDEQ, in the  
3 landmark decision the Supreme Court  
4 ruled in 1984, in summary, the Natural  
5 Resources Article of the 1974 Louisiana  
6 Constitution imposes a duty of  
7 environmental protection on all state  
8 agencies and officials, establishes a  
9 standard of environmental protection,  
10 and mandates the legislature to enact  
11 laws to implement fully this policy.

12 The constitutional standard requires  
13 environmental protection insofar as  
14 possible and consistent with the health,  
15 safety, and welfare of the people. This  
16 is the rule of reasonableness which  
17 requires an agency or official, before  
18 granting approval of proposed action  
19 affecting the environment, to determine

20           that adverse environmental impact has  
21           been minimized or avoided as much as  
22           possible consistent with the public  
23           welfare.

24           Thus, the Constitution does not  
25           establish environmental protection as an

1 exclusive goal, but requires a balancing  
2 process in which environmental costs and  
3 benefits must be given full and careful  
4 consideration along with economic,  
5 social, and other factors.

6 Also, due to the extraordinary  
7 public responses as defined in Title 33,  
8 Chapter 15, of the Louisiana law, I am  
9 asking the LDEQ for a thirty day comment  
10 period after this hearing.

11 Thank you for holding this hearing.

12 MR. REINE:

13 Let the record reflect marked  
14 Exhibit A is a one page double-sided  
15 document from Patricia Newman.

16 Melissa Barrus.

17 MS. BARRUS:

18 Hi, my name is Melissa Barrus. I  
19 live at 5211 Bayou Black Drive, Gibson,

20 Louisiana 70356.

21 I am opposed of the issuance of a

22 permit for the project because my home

23 is located next to the proposed tank

24 farm. We are very concerned about the

25 health and safety of our children

1           because we have a fish pond in our back  
2           yard which is located at little over a  
3           hundred feet from the proposed tank.  
4           Our children and their friends love to  
5           fish and play around the pond. The  
6           proposed driveway to the tank farm will  
7           be located only five feet from the  
8           property line and fifteen feet from our  
9           home. We should not have to worry about  
10          the extra noise and danger next to our  
11          home.

12                 Also, due to extraordinary public  
13          response as defined in Title 33, Chapter  
14          15 of the Louisiana law, I am asking the  
15          LDEQ for a thirty day comment period  
16          after the hearing.

17                 Thank you for holding this hearing.

18          MR. REINE:

19                 Let the Record reflect marked

20 Exhibit B is a typed comment sheet from

21 Melissa Barrus, marked Exhibit B.

22 Bernadine Morgan.

23 MS. MORGAN:

24 My name is Bernadine Morgan. I live

25 at 5013 Bayou Black Drive, Gibson,

1 Louisiana. I live in Terrebonne Parish.

2 I am opposed to Plains Marketing  
3 putting up the four tanks in this  
4 application that we're talking about  
5 tonight. We are here to discuss this  
6 application, not an application that we  
7 may see in the foreseeable future. I  
8 have heard this story before. I live by  
9 Greenwood School, the first proposed  
10 site.

11 The application that Plains  
12 submitted on October 17th was with the  
13 DEQ and the Corps of Engineers. It was  
14 an application for two tanks. Tonight  
15 in this slide show I saw four tanks.  
16 Mr. McDowell came to our home, you know.  
17 He showed us a paper that showed six  
18 tanks. So what are we supposed to  
19 believe? I don't want one tank, I don't

20 want four tanks, I don't want any tanks

21 on Bayou Black.

22 In September of last year, 2006, Mr.

23 McDowell, when he came -- the

24 representative from Plains. He visited

25 my home. I asked him what he was

1 storing in the tanks. He stated that it  
2 might be foreign sour oil. Sour oil  
3 contains hydrogen sulfide, H<sub>2</sub>S. The oil  
4 has the smell of rotten eggs, as he told  
5 me. And at high concentrations, the  
6 inhalation of the hydrogen sulfide is  
7 fatal. I read that exposure to even low  
8 levels cause damage to the brain and  
9 central nervous system.

10 I do not want to live in an area  
11 that may become known as cancer alley.

12 I am very concerned for the health and  
13 the welfare for my family and all of  
14 you, the neighbors in Gibson and on  
15 Bayou Black Drive.

16 How will it effect the wildlife?  
17 What about our property value? What if  
18 we try to sell? Who wants to buy next  
19 to these storage tanks? What about the

20 wetlands, flood hazards, the long term  
21 effect on the environment? What will  
22 happen if there's an explosion? Are we  
23 going to be able to get out? How?  
24 Safely? How can we from our homes,  
25 schools, the community center, here?

1 I'm asking -- I'm sorry.

2 What's going to happen with the  
3 weight of these tanks? They're 212 feet  
4 in diameter, 50 foot tall. Whether it's  
5 one, four, or twenty, what's going to  
6 happen with the land?

7 I read in The Houma Courier on  
8 November 4, 2006, when we were dealing  
9 with this back then, that Plains  
10 Company, the St. James terminal, began  
11 in mid 2005 --

12 I'll finish later.

13 MR. REINE:

14 Kristal Van Matre.

15 MS. MATRE:

16 Hi, I'm Kristal Van Matre. My  
17 address is 5235 Bayou Black Drive,  
18 Gibson, Louisiana. I am a member with  
19 -- I am with the KOCS, which means Keep

20 Our Citizens Safe.

21 I am opposed to the issuance of any  
22 permit for this project because I'm  
23 concerned that this may only be the  
24 beginning of tank farms along Bayou  
25 Black area. We do not need any more oil

1 storage tanks polluting our air in this  
2 area, whether it be four that he said  
3 was before or it be one that they're  
4 saying now. What they're going to say  
5 later is what you're concerned with.

6 I think people need to think about  
7 our children and our long term effects  
8 that this causes, that these toxins  
9 could cause to our family or anybody  
10 else that we know. I know -- I have  
11 three children that live next door to  
12 where these tanks are supposed to be  
13 placed. I do not want to live in fear  
14 about the accidents that could occur,  
15 nor what could happen and the long term  
16 effects that could affect myself, my  
17 family, or anybody else in our community  
18 that I've known and grew up with.

19 Also, due to an -- Due to the

20 extraordinary public response as defined  
21 in Title 33, Chapter 15, of Louisiana  
22 law I'm asking LDEQ for a thirty day  
23 comment period after the hearing.

24 Thank you for this hearing.

25 MR. REINE:

1           Barbara Chapman.

2           MS. CHAPMAN:

3           My name is Barbara Chapman. I live  
4           at 4987 Bayou Black Drive. I live  
5           within a two-mile radius of the storage  
6           tank. I am opposed to it, and I will  
7           relinquish my right to speak to Mr. Joe  
8           Harrison, as he represents the views  
9           that I am -- I adhere to.

10          MR. REINE:

11          You have to go in the order in which  
12          you signed up. I'm sorry, you can speak  
13          at the end, but there's other  
14          individuals that signed up first.

15          MS. CHAPMAN:

16          But I -- I've given my views to him.

17          MR. REINE:

18          But you signed up for yourself  
19          individually.

20 (To Mr. Harrison) You'll have an  
21 opportunity to speak. I'm just trying  
22 to be fair to the other individuals that  
23 signed up first.

24 MS. CHAPMAN:

25 Okay.

1           Just realize, all my neighbors,  
2           what's going to happen. You have to  
3           think about the long term range, and the  
4           range is not for us to have the storage  
5           tanks in our area. We already have  
6           enough oil pipelines running through our  
7           land. If I had the opportunity to get  
8           rid of the ones on my land, I would. I  
9           would not have them.

10           So consider that. Again, I thank  
11           you for the opportunity and, yes, I am  
12           opposed to it.

13           MR. REINE:

14           I'm going to probably butcher your  
15           last name and I apologize.

16           Tammy Bergum (phonetic).

17           MS. BERGERON:

18           Hello, my name is Tammy Bergeron.

19           My address is 5441 Bayou Black Drive. I

20 live within the two-mile radius of the

21 opposed tanks.

22 I am opposed to the issuance of any

23 permit for this project because The

24 Houma Courier on November 11, 2005, ran

25 a story entitled, "Storm Surge," as

1 follows: In the past, flooding in Houma  
2 has been caused by heavy rainfall  
3 associated with tropical storms and  
4 hurricanes. But residents in the city  
5 have not had to face a direct impact  
6 from storm surge, said Al Levron,  
7 Terrebonne Public Works Director.  
8 Instead, storm surge has long been  
9 considered a down the bayou problem, a  
10 worry only for those south of the city  
11 limits. But that has changed.  
12 Terrebonne Parish has deemed one of the  
13 most rapid disappearing land masses on  
14 the planet. The Gibson community also  
15 experienced flooding from storm surge, a  
16 new problem for the area, Al Levron  
17 said. The area usually floods during  
18 seasonal high levels in the Atchafalaya  
19 River. This time, the storm surge

20 filled some residents' yards with water  
21 from the Gulf Intracoastal Waterway.  
22 Ken Smith, President of Houma's civil  
23 engineering firm, T. Baker Smith & Son,  
24 said judging from the electronic tidal  
25 gauge readings, water marks on

1 buildings, and personal accounts of the  
2 storm, Hurricane Rita's storm surge  
3 remains at the same height from the  
4 barrier islands to fifteen miles inland.  
5 The same information revealed only a  
6 four foot drop in surge from the islands  
7 to downtown Houma, Smith said.

8 Because of the above information, we  
9 are very concerned about facing the same  
10 situation as when Hurricane Katrina  
11 caused the devastating oil spill in St.  
12 Bernard Parish.

13 Also, due to extraordinary public  
14 response as defined in Title 33, Chapter  
15 15, of Louisiana law, I am asking the  
16 LDEQ for a 30 day comment period after  
17 this hearing.

18 Thank you for holding this hearing.

19 MR. REINE:

20 I'm going to now call those  
21 individuals who work within a two-mile  
22 radius of the facility.

23 Melvin Poindexter.

24 MR. POINDEXTER:

25 Good evening. My name is Melvin

1 Poindexter. I live -- My address is 105

2 Jarvis Street, Gibson, Louisiana.

3 I'm opposed to the issuance of any

4 permit for the project at -- The public

5 deserves to be able to access any

6 documentation that Plains has in its

7 possession or has submitted to any

8 government agent pertaining to the

9 determination of substantial harm.

10 Furthermore, Plains should be required

11 to reveal its records concerning

12 incidents reported to the state and

13 federal agencies so that the public can

14 evaluate its compliance records and

15 review plans and determination of

16 substantial harm for the proposed four

17 tanks air permit quality at the LDEQ.

18 I'd like to add something else

19 before I say anything else. About 38

20 years ago we had a massive fire  
21 explosion and it set us -- About 38  
22 years ago they had a fire. One of the  
23 storage tanks took off like a rocket.  
24 We were awakened in the wee hours of the  
25 night, and, to be honest with you, we

1           didn't know what the heck was going on.  
2           It seemed like the world was coming to  
3           an end. How bad it was, I went to my  
4           front door to touch the doorknob so that  
5           we could evacuate if there was any such  
6           thing, the doorknob was hot. This is to  
7           let you know how severe this was.

8           We eventually evacuated and we went  
9           to Gray. When we got over to Gray we  
10          thought we was doing some good. We got  
11          over to Gray and you could see the skies  
12          were lit up all over. We thought we had  
13          lost everyone.

14          There was another incident just a  
15          few years later. This was about fifteen  
16          years ago. We had another incident  
17          where the plant caught fire and we had  
18          to -- I was a member of the volunteer  
19          fire department -- we had to go over

20           there and fight the fire. It was so  
21           bad. We had tanks to our left, we had  
22           tanks to our right, we had tanks in  
23           front of us, we had tanks behind us and  
24           above us. We stayed there not knowing  
25           what kind of danger we were in. We

1           fought that fire. Nobody would give us,  
2           really and truly, any physical support.  
3           But we stayed there. We were able to  
4           put the fire out.

5           There is also something else that  
6           creeped into our situation, into our  
7           community. We have a, I guess you can  
8           call it a refinery, that moved in the  
9           area recently within the last fifteen or  
10          so years, and you should see the  
11          commotion that this thing makes when  
12          it's releasing their so-called whatever.  
13          But I know it's hazardous waste that  
14          they're releasing into the air.

15          In my community -- In my community,  
16          I can say that it has about twenty,  
17          about twenty people that I know that  
18          either had cancer, heart trouble,  
19          asthma, emphysema, you name it, it's

20           there.

21           So -- And, also, I just wanted to

22           give my response to -- You got about --

23           MR. REINE:

24           It's time.

25           MR. POINDEXTER:

1           Okay. Well, I thank you.

2           MR. REINE:

3           Let the record reflect marked as  
4           Exhibit C is a state -- a typed  
5           statement from Mr. Melvin Poindexter  
6           regarding his opposition to the permit.

7           Roosevelt Seymore.

8           MR. SEYMORE:

9           Good evening. My name is Roosevelt  
10          Seymore. My address is 5582 North Bayou  
11          Black Drive, Gibson, Louisiana.

12          I am opposed to the issuing of a  
13          permit for the project because Plains  
14          Pipeline, according to the LDEQ public  
15          notice of hearing, wants to get  
16          permission to emit Benzene.

17          The U.S. EPA noted on its  
18          enforcement website that the largest  
19          hazardous waste case in history came

20 with the filing of a consent decree on  
21 December 13, 2001. It involved  
22 ExxonMobil, the company I work for,  
23 Corporation. The case centered around  
24 Benzene contaminated waste at a major  
25 petroleum storage terminal in New York.

1 Benzene, a known human carcinogen,  
2 became a regulated hazardous waste under  
3 the Resource Conservation and Recovery  
4 Act in 1990.

5 Also, due to extraordinary public  
6 response as defined in Title 33, Chapter  
7 15, of the Louisiana law, I am asking  
8 the LDEQ for a thirty day comment period  
9 after the hearing.

10 Thank you.

11 MR. REINE:

12 Let the record reflect marked as  
13 Exhibit D is a typed statement from Mr.  
14 Roosevelt Seymore in his opposition to  
15 the permit.

16 Ronnie Daigle.

17 MR. DAIGLE:

18 My name is Ronnie Daigle. I live at  
19 4963 Bayou Black Drive.

20 I am opposed to these tanks being  
21 put anywhere in this area. I'm just  
22 concerned for the welfare of all the  
23 citizens that live around here and any  
24 even as far as Houma. You know, they're  
25 talking about a two-mile radius, but I

1 think it goes a little beyond that. I'm  
2 just a little concerned about the  
3 welfare of this community. And due to  
4 the extraordinary public response as  
5 defined in Title 33, Chapter 15, of the  
6 Louisiana law, I am asking LDEQ for a  
7 thirty day comment period after the  
8 hearing.

9 Thanks.

10 MR. REINE:

11 I'm going to now call on those  
12 individuals who live within Terrebonne  
13 Parish.

14 Mary Gibson.

15 MS. GIBSON:

16 Good evening. My name is Mary  
17 Gibson. I live at 6313 South Bayou  
18 Black Drive, Gibson, Louisiana 70356.

19 I am opposed to the issuance of any

20 permit for this project because this  
21 Plains air permit application is for  
22 four tanks and Plains, it applied with  
23 Terrebonne Parish for a building permit  
24 for one tank. I do not, and I'll  
25 repeat, I do not want the LDEQ to grant

1           any permits. The Plains application is  
2           inconsistent with its plainly stated  
3           objective at the local level of one  
4           tank.

5           Furthermore, the Plains' application  
6           is not administratively complete.

7           According to Title 33, Chapter 15, of  
8           Louisiana law, the definition for  
9           "administratively complete" states in  
10          part, "required application information  
11          submitted under a separate cover or  
12          separately from the application shall  
13          cause the administrative completeness  
14          determination to be delayed until such  
15          information is received, processed, and  
16          verified along with other application  
17          information."

18          Also, due to the extraordinary  
19          public response as defined in Title 33,

20 Chapter 15, of the Louisiana law, I'm  
21 asking the LDEQ for a thirty day comment  
22 period after this hearing.

23 Thank you for holding this hearing.

24 MR. REINE:

25 Clarence Williams.

1 MR. WILLIAMS:

2 Good evening, everyone. It's quite  
3 clear that the whole nature --

4 MR. REINE:

5 Mr. Williams, your name and address?

6 MR. WILLIAMS:

7 Oh, sorry. I do have one.

8 Clarence Williams. I'm a resident  
9 of Terrebonne Parish. Permanent  
10 address, 2903 Highway 311, Shriever.

11 As I was about to say, it's quite  
12 clear that the nature of these  
13 presentations and this discussion is  
14 about location, location, location. And  
15 it's even clearer that the answer is not  
16 here, not here, not here. I speak here  
17 tonight on behalf of citizens and an  
18 organization called H.O.P.E. Terrebonne,  
19 which is a Gibson based community

20 organization.

21 I would like to preface my following  
22 comments by saying that this community  
23 is not, I repeat, is not anti-business  
24 or progress. However, it also favors a  
25 healthy quality of life. This community

1 believes that business and a healthy  
2 quality of life need not threaten each  
3 other and can peacefully co-exist when  
4 adequate planning and disclosure precede  
5 implementation of a project. This is  
6 not the right project for this area.

7 Residents of this community have  
8 great concerns about this project not  
9 only diminishing their quality of life  
10 but also eroding the value of their  
11 property assets as well. There are  
12 measurable incidents which demonstrate  
13 where tank storage facilities have  
14 failed and caused immense trauma to the  
15 community where located. Instances of  
16 trauma range from fire, emission of  
17 toxic gases, tank ruptures, and a host  
18 of other causes which I will not  
19 elaborate at this setting.

20                   It is our appreciation that one of  
21                   the responsibilities -- and I'm  
22                   specifically addressing this for elected  
23                   and potential elected officials. It is  
24                   our appreciation that one of the  
25                   responsibilities of our elected

1 officials is to assist their  
2 representative communities with  
3 protecting and preservation. We,  
4 therefore, seek your support through  
5 your action of denying approval of a  
6 permit for this project at least until a  
7 complete environmental impact study has  
8 been completed and the proper testing  
9 has been done to determine the makeup of  
10 the proposed product to be stored.

11 In conclusion, given the level of  
12 community concern for this project and  
13 the potential lasting nature of this  
14 project, we highly recommend that all  
15 permit requests not be advanced any  
16 further.

17 Thank you.

18 MR. REINE:

19 Randolph Bazet.

20 MR. BAZET:

21 My name is Randolph Bazet. I reside  
22 at 510 Katie Drive in Houma, Louisiana.

23 Coming in here today, someone  
24 mentioned real quick they were looking  
25 up (inaudible), and it said, "we the

1 people." Well, I look out here today  
2 and I think that that's a very fitting  
3 thing for this evening because this is  
4 our country, it's our government, and I  
5 think that we're exercising probably the  
6 best measure we can by making these  
7 people aware of what our concerns are.

8 My concern is basically this, not  
9 only as a citizen of Terrebonne Parish  
10 but also as a property owner within the  
11 two mile area -- and I can tell you that  
12 I'm really opposed to this based on  
13 several. One of them, it seems to be an  
14 amount of confusion here. And it seems  
15 to be a little bit more than just a  
16 little confusion, it seems to be quite a  
17 bit. And I will tell you, if anybody  
18 knows anything, that any time you make a  
19 decision based on confusion, it's going

20 to be a bad one. I think everyone will

21 agree with that.

22 But I think one of the other

23 concerns that a lot of the people here

24 addressed is issues concerning tank

25 storage facilities. We only have to

1 look as far as 50, 60 miles away at  
2 everybody in Chalmette wiped out and  
3 what's happened to that community now.  
4 And one of the biggest fears I think  
5 we're seeing here is the possibility of  
6 that happening if we have interstate  
7 trans -- transport of pipeline oil,  
8 (inaudible) -- where it's talking about  
9 salt domes somewhere up around area the  
10 Chacahoula area. So to think that that  
11 could not happen, I think that we'd be  
12 fooling ourselves here.

13 But as a citizen of the State of  
14 Louisiana, as these people here or the  
15 DEQ, and citizens of the parish and  
16 whatnot, I think this is a very critical  
17 time and we need to start putting our  
18 best foot forward here to the rest of  
19 the country. And why am I saying that?

20 Right now, this state and this area in  
21 particular is waiting to see what  
22 happens to the passage of the water  
23 bill, which is going to give us the  
24 money to do the Morganza to the Gulf  
25 protection system.

1           And it seems rather foolhardy when  
2           we're going to go in front of the rest  
3           of the nation and talk about how we want  
4           to protect our coasts and our  
5           environment, that if we're not going to  
6           take a full philosophical approach to  
7           this, why should they give us the money?

8           We need to look at more than just  
9           protecting the coast, we need to start  
10          looking at protecting the coasts beyond  
11          after we've protected it.

12          But it's not a cafeteria plan. We  
13          can't pick and choose. It does us no  
14          good to protect our coastline if we're  
15          not going to watch out for what's behind  
16          these levees, like this proposed  
17          facility, and a lot of other proposed  
18          facilities, and the existing facilities.

19          So I'm going to ask the DEQ here

20           today as citizens of Louisiana to do due  
21           diligence for not just the people of  
22           Terrebonne Parish, but also for  
23           yourselves and for the rest of the  
24           country in showing them that it's no  
25           longer business as usual. And we don't

1 mind if you want to set up business in  
2 Terrebonne Parish, Louisiana, but we  
3 need to raise the bar and tell the rest  
4 of the nation we do care, and we want to  
5 do it right.

6 And that's all I have to say.

7 MR. REINE:

8 Let the Record reflect, marked as  
9 Exhibit E is a typed statement from Mary  
10 Gibson in opposition to the permit.

11 Thomas Cope.

12 MR. COPE:

13 Good evening. Thomas Cope, 7856  
14 Main Street, Houma, Louisiana.

15 I'm here as a representative of  
16 Sheriff Jerry Larpenter. He had a  
17 letter that he asked me to read this  
18 evening in reference to a letter  
19 received from Mr. Dave M. Zebarus

20 (phonetic).

21 "I appreciate you sending me your

22 letter of October 13, 2007, and

23 requesting my comments on the placing of

24 crude oil storage tanks in the Gibson

25 area and requesting that I participate

1 in a hearing called by the Department of  
2 Environmental Quality on this issue.  
3 However, I have a previous commitment to  
4 the Diocese of Houma-Thibodaux to  
5 participate in their annual Blue Mass  
6 honoring all who protect our community  
7 and country; Blue Mass for law  
8 enforcement officers, firemen, and first  
9 responders. Because I am unable to be  
10 present, I'm sending someone from my  
11 office to state my position on this  
12 issue.

13 As your Sheriff, I am always  
14 concerned when there is the possibility  
15 of disaster relating to pipelines and  
16 oil storage facilities such as the one  
17 referenced above to be placed in the  
18 Gibson area. The Sheriff's Office has  
19 always made a point of meeting with

20 officials from such companies to make  
21 sure that they have in place proper  
22 emergency procedures and that there are  
23 open lines of communication to the  
24 Sheriff's Office and other responders in  
25 the event something happens such as a

1 facility that endangers our citizens.  
2 We meet with company representatives on  
3 a regular basis to make sure that we  
4 maintain the proper phone numbers for  
5 company officials as well as who will be  
6 in charge at that facility to contact if  
7 something occurred. In other words, we  
8 are very proactive in maintaining a  
9 relationship with the companies to  
10 protect our citizens.

11 As Sheriff, I will speak to the  
12 officials in charge of this project to  
13 obtain such information which would  
14 allow my deputies to respond if called  
15 upon. However, as I am sure you are  
16 aware, the sheriff has no specific  
17 powers over the Department of  
18 Environmental Quality or even parish  
19 government about the placement of such

20 facilities.

21 As you may know, I am running for

22 the office of parish president. That

23 office will also have limited authority

24 over the placement of such a terminal

25 since there is no zoning in the area of

1 the parish where the facility is to be  
2 placed. In other words, as long as the  
3 company meets those requirements as  
4 mandated by state law, the parish  
5 president can only carefully go over the  
6 application for such a facility to make  
7 sure that it has met all the  
8 requirements mandated by the State of  
9 Louisiana.

10 However, I can assure you that as  
11 Sheriff and Parish President, if  
12 elected, I will call to have a meeting  
13 with company officials to see if there  
14 are some additional mitigation efforts  
15 that might be accomplished to further  
16 ensure protection of the citizens in the  
17 Gibson area where the facility will be  
18 placed beyond what they will be legally  
19 required to do. Obviously, any attempt

20 to zone the area of the parish where the  
21 plant is to be placed now would be after  
22 the fact and likely unconstitutional.

23 As I have in the past twenty years  
24 as your Sheriff, I will continue to do  
25 everything I can within my power as

1 Sheriff, and if elected, Parish  
2 President, to protect our citizens and  
3 their property. I welcome the  
4 opportunity to meet with your groups,  
5 KOCS, and to continue working through  
6 toward their goal.

7 I ask that this letter be entered  
8 into the record of the Department of  
9 Environmental Quality hearing and that  
10 my objection to this project is noted  
11 until the citizens of this parish, as  
12 well as the Sheriff's Office and parish  
13 government officials, are fully  
14 satisfied that the facility to be built,  
15 all legal requirements are fully met and  
16 steps taken for full protection of our  
17 citizens. Sincerely, Sheriff Jerry J.  
18 Larpenter." Thank you.  
19 MR. REINE:

20                    Let the Record reflect, marked as  
21                    Exhibit F is a two page typed letter  
22                    from Jerry Larpenter, Sheriff of  
23                    Terrebonne Parish.  
24                    Godfrey Buquet.  
25                    MR. BUQUET:

1           Good evening. My name is Godfrey  
2           Buquet. I'm also a candidate for the  
3           Sheriff of Terrebonne Parish.

4           I -- First of all, let me say I'm in  
5           the same situation as the people who  
6           repre -- who live within two miles of  
7           this facility. As far as my concerns  
8           are, I oppose the building of the tanks  
9           to start with. I was talking to a lady  
10          that lives only a hundred feet, when she  
11          found out the other lady was only  
12          fifteen feet away, she was in awe  
13          because she was even closer than this  
14          poor lady is.

15          But I -- In the past, I've had the  
16          opportunity to be president. Mr.  
17          Poindexter pointed out earlier, I saw  
18          these fires that occurred. I also  
19          investigated some of the blowouts that

20 occurred not too far from here. We had  
21 to move whole families, thirty families,  
22 in the middle of the night, find motel  
23 rooms for these people because of a  
24 blowout. Now, a blowout is not near, I  
25 would think, as dangerous as if

1 lightning were to strike this tank, one  
2 of these tanks we're talking about. It  
3 would endanger a lot of people, I would  
4 -- in my imagination anyway.

5 But the thing is that -- I see  
6 something that I'm very proud of here  
7 tonight, and I see a lot of ladies  
8 coming up here. I don't know if  
9 anybody's ever picked alligator eggs  
10 from a nest or got around an alligator  
11 nest and messed with a mother alligator,  
12 and that's what you seem to have on your  
13 hands here somewhat.

14 But the thing is that in addition to  
15 the pollution that this causes, I would  
16 say, if something goes wrong with one of  
17 these tanks, the -- it's a concern for  
18 law enforcement. Because, first of all,  
19 we have to burn up your resources by

20           having police out here, and most of the  
21           time those services are paid for, you  
22           know, afterwards. But the thing is that  
23           you have to have people to do -- to work  
24           traffic and see about housing people.  
25           And those are two of the concerns

1           that we have to think about, and, of  
2           course, the aftermath or any kind of  
3           debts we have. I mean, you could say,  
4           well, that sounds silly, but it's not in  
5           my book. Anything could happen at one  
6           of these facilities. If you have a  
7           fire, if you're downwind and you have a  
8           strong wind -- strong wind, it's going  
9           to be very hard for anybody to breath  
10          and that's going to be instant lung  
11          pollution at that time.

12                 But -- At one of these facilities  
13           locally, we had a gentleman that got  
14           hurt on a -- at an industrial accident.  
15           When the deputies made it there to  
16           investigate it, the company told the  
17           deputy they were not allowed on the  
18           facility to do an investigation. Well,  
19           that's kind of weird because it's the

20           job of the sheriff to investigate  
21           industrial accidents, and the reason, to  
22           be sure there's no foul play. And, of  
23           course, we got cooperation from the  
24           manager after I explained to him, "I  
25           could open up a murder case, if you

1           like. And if you want to interfere with  
2           that murder case, I don't have much of a  
3           problem with that."

4           But Murphy Oil Company in Chalmette,  
5           I believe one of the gentlemen -- I  
6           believe Randolph Bazet mentioned, for  
7           Hurricane Katrina, that whole city had  
8           oil all over it, still does in some  
9           places. And a lady mentioned that  
10          (inaudible) -- And I feel my time is  
11          about up, I imagine. I thank you very  
12          much for inviting me here and I  
13          appreciate that y'all would be so kind.

14          MR. REINE:

15                 John Rochelle.

16          MR. ROCHELLE:

17                 Good evening. I'm John Rochelle. I  
18                 live at 1438 Bayou Blue Road, Houma, and  
19                 I am from Lafourche Parish in the Bayou

20 Blue area. I've been active in some  
21 environmental citizens activities.

22 Before I begin, I want to thank the  
23 DEQ and its officials for granting this  
24 hearing. I want to thank everyone for  
25 attending. Thomas Jefferson, our third

1 President, believed the future of our  
2 democracy lay with its people to educate  
3 themselves and to speak up. Judging  
4 from this outstanding turnout, I'd say  
5 that Jeffersonian democracy is alive and  
6 well in Bayou Black.

7 I'm here to speak up, and before I  
8 get wound up, I'd like to register the  
9 strongest protest that I can with the  
10 DEQ concerning the activities of Plains  
11 Pipeline's representative here tonight.  
12 There has been some ducking and dodging  
13 and this is going to have to be  
14 investigated. I am appealing to Title  
15 33, Chapter 15 of the Louisiana law  
16 concerning the matter of administrative  
17 completeness.

18 Plains has done a lot of good  
19 business in this country and that's good

20 for our country. We are a very thirsty  
21 nation. But Plains has no business in  
22 trying to put a large scale oil storage  
23 tank, or is it tanks, near people and  
24 their homes. That's not their business.  
25 And so here are my reasons why this

1 permit should not be approved.

2 I am opposed to the issuance of any  
3 permits for this project because the  
4 Plains tank, or is it tanks, location  
5 within several hundred feet of residents  
6 is too close. And why? At the U.S. EPA  
7 meeting in March 20, '02, several  
8 engineers reviewed situations with  
9 aboveground storage tanks. What they  
10 had to say, I want all to hear tonight.

11 Aboveground storage tanks fail,  
12 explode, rupture, spill, catch fire,  
13 kill people. I will quote from their  
14 report. "Catastrophic failures of  
15 aboveground storage tanks can occur when  
16 explosions or flaws cause the shell-to-  
17 bottom or side seam to fail. Past tank  
18 failures have ripped tanks open  
19 releasing their entire contents and in

20           some cases tanks have been rocketed

21           upwards into the air."

22                 But I'm not finished. My statements

23           are my exhibits. These cards belong to

24           me.

25           MR. REINE:

1 Joe Harrison.

2 MR. HARRISON:

3 Thank you.

4 My name is Joe Harrison. I'm from  
5 Labadieville, Louisiana, 3239 Highway  
6 308.

7 I'm here in opposition. I'm here as  
8 a request of some good friends because I  
9 opposed the same sort of situation from  
10 my family's home last year. And we were  
11 successful.

12 The things that need to be asked of  
13 DEQ is during your impact study, they  
14 need to look at the ground elevations  
15 for this area, you need salt samples to  
16 know exactly how the grounds are  
17 shifting or the stability of the  
18 grounds, as was pointed out by a lady  
19 earlier, whether they can support the

20 weight of these tanks. Louisiana is  
21 eroding day by day, and they want to put  
22 facilities such as this into our system  
23 that they cannot, they cannot guarantee  
24 the safety of the weight of those tanks  
25 in this area.

1           If you look at what Mr. Clifford  
2           Smith of T. Baker Smith just recently  
3           said: Pipelines are eroding and  
4           exploding and shifting due to the  
5           erosion within the property in the lower  
6           lying areas of our state. It is the  
7           number one hazardous cause that we have  
8           to be concerned with. So to just  
9           arbitrarily say that they're going to  
10          put a pipeline in, that is one issue  
11          that we have to stand by and say no,  
12          because they cannot guarantee the safety  
13          of those pipelines.

14          Now, if we look at what they're  
15          talking about as far as the hazardous  
16          waste, those materials that they're  
17          talking about that are in this report  
18          are deemed by the Center of Disease  
19          Control to be the most hazardous cancer

20 causing chemicals known to man. Water  
21 contamination and the ground level water  
22 contamination can migrate for miles, not  
23 just contained within that area but  
24 migrate for miles. And if we're looking  
25 at this, you do not know, whether it be

1 in your back yard, your neighbor's yard,  
2 or in Labadieville, Louisiana, from this  
3 very facility. They cannot tell you  
4 that. They cannot guarantee it because  
5 it's known to migrate for several miles.

6 What I'm asking you is please fight  
7 this. You have the right to fight it.  
8 It will devalue your property. It will  
9 increase -- What we're fighting right  
10 now is the increase of our insurance,  
11 because your fire ratings are going to  
12 go up and the things that you have to  
13 look at day in and day out are going to  
14 break your budget, not the companies  
15 locating here, nor the right to you --  
16 for you to sue after something does  
17 happen, because it takes years and years  
18 for those things to come to court today.

19 You can ask those people in St.

20 Bernard, Louisiana, whose homes were  
21 destroyed by Katrina and then  
22 contaminated by the Murphy Oil spill  
23 from the very tanks that were outside of  
24 their homes. So if you don't want to do  
25 it for you and your future, do it for

1           your children. And let's tell people in  
2           Baton Rouge and this other area we'll no  
3           longer be the dumping ground for their  
4           chemicals.

5           Thank you.

6           MR. REINE:

7           Arlanda Williams.

8           MS. WILLIAMS:

9           Arlanda Williams, 343 Polk Street,  
10          Terrebonne Parish Council District 2.

11          I have from the beginning opposed  
12          the tank coming to the Gibson area. And  
13          I'm here tonight not to ask you to  
14          delay, but to deny the permit.

15          We're looking at only the  
16          environmental impacts, but because of  
17          recent information and research that has  
18          been done in my district and the  
19          district that surrounds this area, this

20 Plains oil contract will probably cause  
21 some serious problems on the federal  
22 level. Because if they're going to run  
23 pipelines through this, it's going to  
24 interfere with reach two and phase one  
25 of our barrier plan project, a project

1           that many of us having been fighting for  
2           federal dollars for. It's a hurricane  
3           protection system, and for each  
4           additional pipeline that's going to be  
5           added down there, it is going to delay  
6           the process. The barrier plan project  
7           will eventually be a part of the  
8           Category Five Morganza to the Gulf  
9           system.

10           For years we have fought for WRDA,  
11           and now with a breach of WRDA, we're  
12           going to allow a pipeline to stop us.  
13           So I beg of you, I took an oath, several  
14           others did here, to protect the people,  
15           not only environmental but with flood  
16           protection also. We're in South  
17           Louisiana and we cannot afford another  
18           pipeline. So I ask you not to delay,  
19           but to deny the permit.

20 Thank you.

21 MR. REINE:

22 L. P. Bordelon.

23 MR. BORDELON:

24 My name is L. P. Bordelon. I am the

25 School Board Representative from

1 District 6.

2 Approximately a year ago, the  
3 Terrebonne Parish School Board and the  
4 Parish Government-Parish Council wrote  
5 resolutions denying or writing to  
6 (inaudible) to DEQ and also to the Corps  
7 of Engineers asking that the permit be  
8 denied near the Gibson -- near the  
9 Greenwood School.

10 Now, my question to you is,  
11 basically, this: If it wasn't good by  
12 the Greenwood School that has two  
13 hundred some odd students, why is it  
14 being moved one mile further up or down  
15 the bayou, depending where you live?

16 The second point I want to make, and  
17 I'll be brief, is that I have the joint  
18 public notice right here put out by DEQ  
19 and also the Corps of Engineers. And I

20 think the first paragraph, it says that  
21 everything has to considered basically  
22 relative to this issue, economics,  
23 esthetics, the wetlands, restored  
24 properties, fish, wildlife, flood  
25 plains, land use, shoreline erosion, so

1           forth and so on. And the very last  
2           thing it says is that the considerations  
3           of property ownership and, in general,  
4           the needs and welfare of the people --  
5           not of Plains, but the people. Who are  
6           the best stewards of the property, the  
7           pipeline company or the citizens here in  
8           this parish that live here, make their  
9           livings here, raise their children here,  
10          send their kids to the Greenwood School,  
11          to the Gibson school et cetera? These  
12          are the best stewards of the property  
13          here on this bayou.

14                 Thank you.

15          MR. REINE:

16                 (Inaudible) bookkeeping, the last  
17          three speakers were those who did not  
18          live within the parish. Additionally,  
19          Patrica Newman has indicated that her

20 exhibit should be removed from the  
21 Record. It's stricken from the Record  
22 and the exhibits will be renumbered  
23 accordingly.

24 Clayton Diaz.

25 MR. DIAZ:

1           Good evening, everybody. My name is  
2           Clayton Diaz. I live at 1223 Main  
3           Street, Patterson, Louisiana.

4           The reason I'm here tonight is to  
5           offer you my support in opposition to  
6           this tank battery. I'm running for  
7           Senate District 21, which encompasses  
8           this district, and I hope y'all put me  
9           in office and I can help y'all fight  
10          this.

11          Now, one thing I noticed even before  
12          the meeting started and then right after  
13          the meeting started, plans keep changing  
14          from minute to minute here. Why do we  
15          need a tank battery when they already  
16          have tank batteries. This is not the  
17          only tank battery that Plains has in the  
18          state. Why not add another tank or two  
19          at an existing battery? Why create

20 another hazard? Just common sense. So

21 I would like the DEQ to consider that as

22 an alternative.

23 But, of course, I know Plains is

24 going to go ahead and go along with

25 their program because that's where they

1           -- really what they want to do. So if  
2           they're going to go ahead with this  
3           permit, (inaudible) permit, then we need  
4           to know -- we need to know when this  
5           final permit is going to be submitted.  
6           When they do submit it to the DEQ, we  
7           want to know when it's submitted, not  
8           after the DEQ has already made a  
9           decision. Because we want to be able to  
10          know what's on that permit and what's  
11          under consideration.

12                 Because the DEQ couldn't even tell  
13          me how long it would take them to make  
14          their decision. They said it could be  
15          months, could be weeks. So as soon as  
16          that final permit -- and even Plains  
17          doesn't know when the final permit is  
18          going to be made available to submit.  
19          I'd like to know when it is submitted so

20 we can study it at the same time that  
21 the DEQ is to see if we can faults that  
22 the DEQ may miss prior to the questions.  
23 So we just need to be more informed.  
24 So we need to know when exactly this  
25 final permit is out and we need to know

1            --- have some kind of a question period  
2            following thirty days after this  
3            addition to the final permit so we can  
4            make an opposition in addition to the  
5            thirty day request period that people  
6            have requested after this meeting.

7            So that's about all I've got to say.  
8            So we just need more information.

9            MR. REINE:

10           Leland Robichaux.

11           MR. ROBICHAUX:

12           Leland Robichaux, 203 Aspen Drive,  
13           Houma.

14           I support the citizens of Gibson  
15           opposing the oil tanks permit on  
16           environmental and safety issues. The  
17           Gibson residential community and the  
18           general public will be put at risk if a  
19           catastrophic event occurs, and also on

20 the grounds of toxic emissions. I would  
21 ask the DEQ for a thirty day comment  
22 period after this hearing, and I  
23 appreciate the Louisiana DEQ holding  
24 this public hearing.  
25 Thank you.

1 MR. REINE:

2 Charles Norman.

3 MR. NORMAN:

4 Good evening. Well, for them that  
5 don't know, my name is Charles Norman,  
6 124 Diana Court, Gibson, Louisiana.

7 And I signed the paper because truly  
8 that's what we're out here for, and I do  
9 oppose it. I do oppose it, because if  
10 we keep looking at Bayou Black, I'll say  
11 from the Antells (phonetic) all the way  
12 to head of Jarvis Bridge, we are living  
13 in a chemical environment because of all  
14 the plants we have that have developed  
15 here in the last twenty years -- no,  
16 thirty years, thirty, forty years. Now,  
17 look from forty years from now, what it  
18 going to be like? It's going to be like  
19 an oil city. And where are we going be

20 at? We going to be moved out from where

21 we live right now.

22 And I do oppose it because of hazard

23 waste. Any raw material is hazardous

24 regardless of whether they say it's not,

25 unless it's been chemically purified.

1           So whatever they may say they're going  
2           to store in the tanks, truly we -- we  
3           rest assured that it may not be. It may  
4           be something else.

5           But they want to start with oil, and  
6           then what is going to come next?  
7           Chemicals. They get a lot of chemicals  
8           from oil and chemicals cause cancer. I  
9           am one of the victims myself. I live in  
10          the neighborhood, and down here we do  
11          have a high rate of cancer. And, truly,  
12          the DEQ, they need to clean up the Bayou  
13          before they even approve of storage oil  
14          tanks here.

15          We need clean sewerage, clean water,  
16          bayou water, running water. That's what  
17          the DEQ can do first, look at the Bayou,  
18          look at us, because I don't think --  
19          they are not saying they are going to

20 give us any revenues off it, they're not  
21 going to pay our tax, and they're just  
22 coming in here and just lowering the  
23 value of our property. And what are we  
24 going to get out it? Nothing, but move  
25 out of it, maybe have to move out of it.

1           Thank you.

2           MR. REINE:

3           Alvin Tillman.

4           MR. TILLMAN:

5           Good evening, everybody. I'm Alvin

6           Tillman, Councilman of District 1,

7           Chairman of Terrebonne Parish Council.

8           I just want the people of the Gibson

9           area to know that certainly I strongly

10          support in terms of your efforts to save

11          the community.

12          I've heard comments made tonight as

13          it relates to incidents that happened

14          thirty years ago. Mr. Poindexter made

15          mention of that. I heard comments by --

16          Mr. Buquet mentioned about the Sheriff's

17          Department involved in picking people up

18          in the wee hours of the night. My

19          opposition to this is that we don't know

20 when, but we know sooner or later  
21 something is going to happen. We don't  
22 know if it will be a year from the day  
23 it's built or whether it will be twenty  
24 years from the day it's built, it's  
25 going to happen sooner or later.

1           We know that cancer will eat away at  
2           you sooner or later. That's what's  
3           happening here. You've got cancer that  
4           sooner or later is going to eat away at  
5           the people of this area. And it's not  
6           just the effect it's going to have on  
7           people of Gibson, but it's the effect  
8           it's going to have on the citizenry of  
9           this parish.

10           I believe that Plains can find  
11           somewhere else to locate and place these  
12           tanks. I do believe that. And I'm  
13           asking that LDEQ take the safety and  
14           welfare of the people in consideration.

15           When you look around this area, you see  
16           tanks everywhere. It's just a fire  
17           waiting to explode. It just that bad.

18           And I've got to tell you, I feel for the  
19           people of this area. But this area has

20 (inaudible) throughout this parish.  
21 Because I can tell you, if you go all  
22 through Houma -- Houma, Terrebonne  
23 Parish, you'll find connection to this  
24 bayou. We want to see the bayou  
25 survive.

1           And, DEQ, I'm asking that you look  
2           beyond the thirty day period that the  
3           people are asking for. I ask that the  
4           board look deep down into their hearts  
5           and minds and realize that the people  
6           are talking about their salvation and is  
7           it going to end at this time. And I ask  
8           that you take strong consideration of  
9           not a delayance, but to deny.

10           Thank you very much.

11           MR. REINE:

12           Courtney Alcock.

13           MS. ALCOCK:

14           Good evening. My name is Courtney  
15           Alcock. I'm the parish attorney for  
16           Terrebonne Parish Consolidated  
17           Government. I was asked by Councilman  
18           Harold Lapeyre to appear tonight along  
19           with the other members of the Terrebonne

20 Parish Council to provide comments this

21 evening.

22 For informational purposes to the

23 people of Gibson, Louisiana, this

24 afternoon I spoke with the Director of

25 Planning and Zoning, who informed me

1           that Plains All American has not  
2           formally submitted a building permit  
3           application to Terrebonne Parish  
4           Consolidated Government. Terrebonne  
5           Parish will not entertain nor consider  
6           any permit until all state and federal  
7           approvals, including any approvals  
8           necessary from the Corps of Engineers,  
9           have been secured.

10           Terrebonne Parish Government has  
11           procured the services of an independent  
12           third party environmental specialist to  
13           review any tank permit application and  
14           to review information regarding the  
15           contents of the tank as provided to DEQ  
16           to determine if those contents trigger  
17           the provisions of the Terrebonne Parish  
18           Waste Facility Ordinance. As always,  
19           Terrebonne Parish intends to hold any

20 permit application to the letter of the

21 law.

22 The Terrebonne Parish Council and

23 the Terrebonne Parish Government request

24 of DEQ that all due consideration of the

25 public's comments and concerns be given

1 prior to making any determination  
2 regarding the issuance of the requested  
3 air permit.

4 Thank you very much.

5 MR. REINE:

6 Barry Bonvillian.

7 (No response.)

8 Is Barry here?

9 (No response.)

10 Has Tommy Savoy made it?

11 (No response.)

12 Carla Dartez.

13 MS. DARTEZ:

14 Good evening, everyone.

15 First off, I'd like to commend this  
16 unbelievable turnout. This is the only  
17 way we're going to stop this. I don't  
18 want to deny it -- I mean, I don't want  
19 to delay it. We have to stop this.

20                   And as you well know, your -- Gibson  
21                   is not incorporated. So, therefore, the  
22                   rules that apply to Houma, Incorporated,  
23                   is not applied here. We don't have --  
24                   And I'm losing my thought here. I'll  
25                   just tell you I'm just so upset about

1           this. And I see Dr. Rochelle in the  
2           audience. He was a teacher of mine.  
3           Let me tell you, this man will go to  
4           breaking his bones to make sure this  
5           doesn't happen.

6           But I've been on this case since  
7           November of 2006, whenever it was by the  
8           school, as the young man said earlier,  
9           and we were able to stop it. And  
10          anytime a company -- I'm not anti-  
11          business, but let me tell you, anytime a  
12          company goes from one to six to four,  
13          that doesn't sound right to me.

14          In addition to that, we -- our power  
15          is in numbers, as you see here. That's  
16          the only way we're going to stop this.  
17          If enough people from -- and let me tell  
18          you, this is -- I counted, it's about at  
19          least four hundred people here tonight.

20           This is the way we're going to stop  
21           this. I will do whatever it is in my  
22           power.

23                 Let me just tell you, I got elected  
24           eight years ago, and I worked on getting  
25           the Barrier Plan. It took me five and a

1 half years to get the first funding for  
2 it. We just started that. We have the  
3 pumps up. So now you have a company  
4 that wants to go through our barrier  
5 plan with pipes, then -- Well, let me  
6 just tell you, I was out there fighting  
7 alone because the Barrier Plan, in the  
8 Corps' infinite wisdom, didn't include  
9 Gibson, Bayou Black, or Bayou Dularge,  
10 my area that I represent, because of the  
11 cost-benefit ratio. But let me just  
12 tell you, if there's one family that  
13 lives there, it's worth it.

14 So we had to go and (inaudible) --  
15 Well, the levee district came up with  
16 the Barrier Plan, and I fought and  
17 fought and fought, and I did not totally  
18 agree with Morganza to the Gulf, but I  
19 had to take care of my constituents

20 first. And we have got the money for  
21 the first phase or the second phase,  
22 rather, of the Barrier Plan and we do  
23 not need to stop now.

24 I am totally in opposition to this.

25 I will do whatever it takes to make this

1 not happen. But, again, we can't do it  
2 alone. Everybody that's here tonight,  
3 we have to keep it and we have to add  
4 on. That's the only way. You just  
5 don't (inaudible) be negative towards  
6 the company. They're not going to come.

7 In addition, like somebody said  
8 earlier, we don't want to be another St.  
9 Bernard. And my feeling is, we do  
10 generate waste, this whole country, and  
11 we have to do something with it. But  
12 where do they always want to put it?

13 And with all due respect to DEQ and to  
14 the -- not always do you have to go into  
15 the rural areas where people live, okay?

16 So, again, total opposition. Let's  
17 just stay together because strength  
18 comes in numbers, and we're not included  
19 -- Do we have a time limit here? Oh,

20           sorry.

21                 We're not incorporated here, so,

22           therefore, we cannot -- we don't go

23           according to the parish's governing

24           rules. So we've got to stick together,

25           and just rest assured I will not rest

1           until this is gone.

2           Thank you very much.

3           MR. REINE:

4           Cordelious Bolden.

5           MR. BOLDEN:

6           My name is Cordelious Bolden, III.

7           I'm a resident of 2724 Savanne Road.

8           And we had a meeting on the 8th of  
9           this month. I was at that meeting. The  
10          people spoke out then and they're  
11          speaking out now. I think the meeting  
12          was about two tanks, four tanks,  
13          possibly six tanks. So the people don't  
14          want no tanks. This is a very, very  
15          serious matter, and a dangerous one if  
16          the project is allowed to go through.

17          So we don't need this down here.

18          It's very, very dangerous and it's a

19          serious, serious matter. And what -- I

20 wouldn't want to see, like one project I  
21 already know have taken place, have  
22 meetings at the Council, have meetings  
23 at the gym, then still allow the project  
24 to go through. Don't make no sense. So  
25 let's not let the project go through.

1           We don't need it. Let them take it  
2           somewheres else.

3           Thank you.

4           MR. REINE:

5           Aurestile Scott.

6           (No response.)

7           Aurestile Scott. Are you present?

8           (No response.)

9           That was the last of the signed up  
10          speakers. Are there any individuals  
11          that have --

12          MR. SCOTT:

13          Good evening. I'm Aurestile Scott.

14          I live at 208 Naquin Street. I'm  
15          originally a resident of Big Bayou  
16          Black, and I come here tonight in total  
17          opposition to any tanks being placed. I  
18          want to say that I'm also a candidate  
19          for Parish Council in District 2, which

20 covers a large section of Gibson.

21 We have school houses right down the

22 road here. We don't know the long-term

23 effect nor do we know the short-term

24 effect of any hazardous material. Now,

25 if you can recall, several years ago we

1           woke up and found a film on our cars.  
2           We later learned that this film came  
3           from Texas. So we have to understand  
4           with a two-mile radius, that's no  
5           comparison. We have to think about our  
6           community, we have to think about our  
7           children.

8           We can't have this type of thing  
9           going on in our communities. We just  
10          don't know what could happen, because  
11          there are a number of things that can  
12          happen and we just can't take that  
13          chance. And I just thank all of you for  
14          coming out here tonight, just coming out  
15          and voicing your opinion on this,  
16          because together we stand and divided we  
17          fall. I thank all of you.

18          MR. REINE:

19          Are there any individuals that have

20 not spoken yet who would like an

21 opportunity to speak?

22 (No response.)

23 Are there any individuals who would

24 like a second opportunity to speak?

25 Please raise your hand. We'll go in the

1 order, I believe, that you came in  
2 initially. One, two, three  
3 (indicating).

4 And, again, for the record, please  
5 state your name.

6 MR. DAIGLE:

7 Doug Daigle, Sr., 5235 Bayou Black  
8 Drive, Gibson 70356.

9 I'm going to continue what I started  
10 with this, the -- what the chemist had  
11 put out.

12 Gibson Tank Battery is to be located  
13 adjacent to environmental justice  
14 neighbors. Plains Marketing is  
15 proposing to construct four 300,000  
16 barrels of crude oil storage tanks. The  
17 storage capacity will be 1.2 million  
18 barrels of crude oil and the facility  
19 throughput will be 402 million barrels

20 of crude oil per year. This equates to  
21 the entire capacity of all four tanks  
22 being emptied and refilled each and  
23 every day of the year. The tanks are  
24 proposed to be located in Gibson  
25 adjacent to residential dwellings

1           consisting of African-American occupied  
2           homes. The closest environmental  
3           justice residences will be located a  
4           mere 265 feet to the east of the tanks  
5           and 800 feet to the west. The location  
6           of the terminal tanks in such proximity  
7           to an environmental justice family  
8           population is unacceptable and will  
9           result in disproportionate impacts and  
10          burdens on the environmental justice  
11          community. LEDQ must deny the permit  
12          application for the Gibson Terminal.

13                 Air emissions from the tanks and  
14          fugitive sources is proposed by Plains  
15          as major source of toxic air  
16          emissions. Plains is proposing to cap  
17          the emissions from four tanks at least  
18          -- at less than 100 tons per year of  
19          volatile organic chemicals to qualify as

20 a minor source of air pollution.

21 According to Plain, the cap will allow

22 operational flexibility to increase

23 throughput through any one tank to meet

24 their needs. Such a cap is

25 unacceptable. It will allow Plains to

sic

1 operate the facility in excess of the  
2 cap during some months and then average  
3 the emissions over a twelve month  
4 period. With a cap Plains will be able  
5 to release larger quantities of VOCs  
6 that will have a greater negative impact  
7 on the environmental justice community  
8 members living in close proximity to the  
9 Gibson Terminal.

10 The volatile organic chemicals that  
11 Plains will release from the tanks and  
12 associated piping will consist of  
13 Benzene and other toxic chemicals known  
14 to cause cancer and damage to liver and  
15 kidneys. The release of these toxic  
16 chemicals in close proximity to the  
17 environmental justice members and other  
18 community members are unacceptable.  
19 Subjecting the population to these

20 chemicals must be prevented by LDEQ by  
21 denying the permit application.

22 The application to LDEQ lacks  
23 information on the location of pipeline  
24 corridors, dimensions, and connections  
25 to the pipeline system. Toxic and

1 hazardous waste will be generated at the  
2 terminal. Crude oil consists of a  
3 number of toxic and hazardous components  
4 that generate hazardous waste streams as  
5 the crude oil is handled, stored, and  
6 transported.

7 MR. REINE:

8 You will get another opportunity.

9 MR. DAIGLE:

10 Okay.

11 MR. REINE:

12 The gentlemen in the blue shirt,  
13 second row.

14 MR. ROCHELLE:

15 For the record, I'm John Rochelle.  
16 I live at 1438 Bayou Blue Road, Houma.  
17 I live in Lafourche Parish.

18 To continue with the highly visible  
19 yellow cards. In South Dakota in 1987

20           there was a tank leak and they closed a  
21           school. In Pennsylvania in January 2,  
22           1988, a tank failed. One million  
23           gallons of oil spilled into a river.  
24           Let me get my glasses out. It's that  
25           time of life.

1           In 1988 another failure, 100,000  
2           gallons of diesel fuel ran into a  
3           California waterway.

4           I quote from this report that was  
5           presented to the EPA, March 2002.  
6           "After these incidents, there were  
7           several congressional and state  
8           hearings, which cast doubts on the  
9           suitability of aboveground storage  
10          construction standards. The hearings  
11          also highlighted the fact that repair  
12          standards did not exist."

13          I want everyone to know tonight that  
14          even when the industry adopted standards  
15          through their American Petroleum  
16          Institute, known as the API, API  
17          standards 651, 652, and 653, failures  
18          continued to occur.

19          In more recent times, I quote again

20 from the report -- "In more recent  
21 times, failures have occurred in a  
22 legion of forms ranging from explosions  
23 of flammable vapors inside an  
24 atmospheric tank to brittle fracture."  
25 So even after the API standards were

1           adopted bad things happened. Let's see.

2           There was a January 8, 2000,  
3           catastrophic failure, one million-gallon  
4           bulk storage failed. November 30, 2001,  
5           incident, 100,000 gallons of crude  
6           ignited. There were other incidents in  
7           the 1990s, and they killed and injured  
8           enough people.

9           I just finished reading a Swedish  
10          report on large scale catastrophic bulk  
11          storage fires, 480 since the 1950s.  
12          Lightning set off 150 of them.

13          We are not just considering an air  
14          permit here tonight. There are other  
15          factors that tell us that the proposed  
16          site is not something that should be  
17          built here. Is it one tank or is it  
18          four tanks?

19          Again, my comments are the exhibits,

20 My cards are mine. I perhaps will

21 submit these later.

22 MS. MORGAN:

23 My name is Bernadine Morgan. And,

24 again, I'm opposed to any issuance of

25 air permits for this project.

1           To the Office of the Inspector  
2           General's Audit Report entitled, "Public  
3           Participation in Louisiana's Air  
4           Permitting Program and EPA Oversight,"  
5           It was dated August 7, 2002. Louisiana  
6           is one of the most heavily  
7           industrialized states in the nation, and  
8           it's the second largest refiner of  
9           petroleum in the United States.  
10          Louisiana's petrochemical industry  
11          manufactures one-quarter of America's  
12          petrochemicals, including the basic  
13          chemicals, plastics, and fertilizers.  
14          Based on the EPA's Toxic Release  
15          Inventory data from 1999, Louisiana is  
16          the highest in Region 6 in toxic air  
17          emissions per person, 9th nationally.  
18          Louisiana is the highest in Region 6 in  
19          toxic air emissions per square mile, 15th

20 nationally. Louisiana is the second in  
21 toxic air emissions in Region 6, 14th  
22 nationally.

23 According to The Plain English Guide  
24 to the Clean Air Act published by the  
25 EPA in 1993, air pollution can cause

1 burning eyes and nose, irritated throat.  
2 Some chemicals in this polluted air can  
3 cause cancer, birth defects, and brain  
4 and nerve damage. Some air pollutants  
5 are so dangerous that accidental  
6 releases can cause injury or even death.  
7 The health effects of volatile organic  
8 compounds, one of the components in the  
9 formation of the ozone, include cancer  
10 and other serious health problems.

11 And earlier when my time ran out, I  
12 want to just continue on with that. I  
13 didn't get to finish telling y'all. You  
14 know, at the original site, which was by  
15 Greenwood School behind my house, they  
16 stated tonight they left that location.  
17 And in December of 2006, the Corps of  
18 Engineers went out there and gave them a  
19 verbal warning that they had violated

20 the wetlands in a small area and asked  
21 them to halt. Did they? No, they did  
22 not.

23 Since then, they are continuing to  
24 haul truckloads of dirt. As of two  
25 weeks ago, I saw a truckload of dirt go

1 back there. All the equipment is back  
2 there. Unfortunately, I can't tell you  
3 what they're doing because I can't see.  
4 They let grass grow where you can't see.

5 When -- Plains, at the meeting  
6 September 8th, I believe, of this year,  
7 they said that they were getting it back  
8 to the original state that it was in  
9 before they started this project. They  
10 did haul loads of dirt out. If they  
11 would have, they would have been in  
12 violation of the wetlands. Before they  
13 started, it was cane fields. That's the  
14 state it was in.

15 Just a few more things. I had -- we  
16 -- I know that y'all know this, but in  
17 November 4, 2006, the newspaper talked  
18 about Plains' Terminal in St. Tammany.  
19 They had seven tanks, then eleven tanks.

20 I don't know the count now, it's maybe  
21 twenty something tanks. But remember,  
22 it only takes one tank to do the damage,  
23 just one tank.

24 I do realize the importance of the  
25 petroleum industry to Louisiana. But I

1 do value the human life, our human life,  
2 over oil storage tanks. These tanks,  
3 again, should be in a remote location,  
4 not next door to us, the residents,  
5 campgrounds, this facility, schools,  
6 churches. And I'm asking you for a  
7 thirty day comment period because I'm  
8 sure a lot of other people are going to  
9 want to voice their opinion. And then  
10 in the end, I'm asking you to please  
11 deny them, do not give them a permit.

12 Thank you.

13 MR. REINE:

14 Richard Seymore.

15 (No response.)

16 Richard Seymore.

17 (No response.)

18 MR. DAIGLE:

19 Okay, I'm going to try and finish

20 this time.

21 Continue with the Subra report. The  
22 terminal will generate tank bottoms as a  
23 waste stream from the use of storage  
24 tanks. Crude oil tank bottoms are  
25 frequently characterized as hazardous

1 waste and do not qualify as a RCRA  
2 exempt waste. Therefore, the waste  
3 bottoms generated at the terminal will  
4 be hazardous waste.

5 Plains stated that the Gibson  
6 Terminal may wash empty containers less  
7 than or equal to 55 gallons containing  
8 residual material less than three  
9 percent of the maximum container volume.

10 Thus, a 55 gallon drum with almost two  
11 gallons of residual material can be  
12 washed out at the terminal. The  
13 material from the drums can be  
14 characterized as waste.

15 Plains stated that they may use  
16 portable fuel tanks on a temporary basis  
17 for maintenance and construction  
18 activities, also emission events can  
19 occur from cleaning equipment,

20 transportation vessels and/or tanks,  
21 opening off-line equipment, maintain and  
22 repair control equipment, and sampling  
23 events. The air emissions from the  
24 hazardous waste streams that will be  
25 generated by the terminal have not been

1 address in the air permit application.

2 The Terrebonne Parish Hazardous  
3 Waste Ordinance, Section 11-54, states  
4 that the provisions shall be applicable  
5 to all hazardous waste storage or  
6 hazardous waste disposal facilities.

7 The Gibson Terminal will generate and  
8 store hazardous waste streams. Section  
9 11-56 states no hazardous waste or other  
10 waste shall be stored or disposed in any  
11 area within one mile of any home, mobile  
12 home, apartment or commercial  
13 structures.

14 The LDEQ must deny the application  
15 for the Plains Marketing for the Gibson  
16 Terminal on the basis of lack of  
17 compliance to Terrebonne Parish Siting  
18 Ordinance, close proximity to the  
19 environmental justice community members,

20 a mere 265 feet, negative impact to  
21 environmental justice community members  
22 from air emissions from the terminal,  
23 and community opposition.

24 Also, due to the extraordinary  
25 public response as defined in Title 33,

1 Chapter 15, of the Louisiana law, I am  
2 asking the LDEQ for a thirty day comment  
3 period after this hearing.

4 Now, I want to -- I want to really  
5 thank everyone that come here. You can  
6 see if we work together, maybe we can  
7 accomplish something. (Inaudible).

8 Thank y'all for holding this  
9 hearing.

10 MR. REINE:

11 Let the record reflect, marked as  
12 Exhibit F, I believe, on the renumbered  
13 sequence is a folder with documentation  
14 from Wilma Subra. The total, about five  
15 packets of paper, roughly twenty pages  
16 in length.

17 Is there any individual who would  
18 still like to speak that's not had an  
19 opportunity or would like to speak

20           again?

21           Please state your name and address

22           for the Record.

23           MS. VAN MATRE:

24           Hi. My name is Angela Van Matre,

25           and I wasn't going to speak tonight, but

1 a lot of things that I heard tonight has  
2 got me really concerned. If we don't  
3 stick together and fight this and beg  
4 y'all to deny it, we're all going to  
5 have a big problem on our hands.

6 Because once they get that one there,  
7 they're going to have a hundred.  
8 They're going to get everything they  
9 can.

10 I have children and grandchildren.  
11 My kids went to the schools here. My  
12 grandkids come and stay with me. They  
13 want to put that thing right by my house  
14 and it scares me. So I'm begging y'all,  
15 stick together and please, whatever  
16 y'all do, deny this.

17 Thank you.

18 MR. REINE:

19 Again, please state your name for

20 the record.

21 MR. ROCHELLE:

22 I won't have to look at the yellow

23 cards anymore. My name is John

24 Rochelle. I live at 1438 Bayou Blue

25 Road, Houma, in Lafourche Parish. I'd

1           like to continue with the comments about  
2           the tank.

3           The LDEQ and the U.S. EPA are called  
4           on here tonight to require Plains, if it  
5           should be considered for a permit, and I  
6           am personally opposed to granting any  
7           permit, is that the LDEQ and the U.S.  
8           EPA are called upon here tonight to  
9           carry out -- have Plains to carry out a  
10          hazard to life assessment as part of a  
11          broader environmental impact statement.

12          It is misleading to throw out a  
13          bunch of numbers for chemicals, like  
14          Benzene, to be legally emitted if a  
15          permit were to be granted. Government  
16          is called upon here to require an  
17          environmental impact statement that  
18          reveals what hazards to life can come  
19          along with legally permitted pollutants.

20                   Due to extraordinary public response  
21                   as defined by Title 33, Chapter 15, of  
22                   the Louisiana law, I'm asking the LDEQ  
23                   to allow thirty days after this hearing  
24                   for additional public comments.  
25                   The LDEQ and the U.S. EPA should

1           require Plains, if it were to be  
2           considered for a future permit, to use  
3           the best available technology in vapor  
4           recovery. They stated -- Plains stated  
5           that it was going to install a floating  
6           top or roof for these tanks. But the  
7           Plains and the LDEQ as well as the EPA  
8           also should know that there is another  
9           kind of tank that is a dome tank with a  
10          roof -- domed roof with an internal  
11          floating top. And that would include a  
12          vapor recovery system. Plains'  
13          application states that it wants to  
14          build tanks or a tank, is it, with an  
15          external floating roof.

16          MR. REINE:

17                Would the people in the back please  
18                refrain from talking. If you need to  
19                talk, you can go outside. Please have

20 courtesy for the speaker and allow them

21 to talk without interruption.

22 Thank you.

23 MR. ROCHELLE:

24 Probably the biggest threat to a

25 floating top or roof in a tank in South

1 Louisiana is significant rainfall  
2 events. Roofs are known to sink. Seals  
3 often leak, emit vapors. Even more  
4 dangerous for this type of tank is a  
5 lightning strike. Or did I say  
6 dangerous to the tanks? We're taking  
7 catastrophic. We're talking  
8 catastrophic to people and their homes  
9 should there be a tank explosion.

10 Plains, please, take this project as  
11 far away from these residents as you  
12 can.

13 Thank you.

14 MR. REINE:

15 Are there any other individuals who  
16 would like to speak?

17 Let the record reflect a packet,  
18 three packets of note cards and one  
19 typed page from John Rochelle, roughly

20 ten pages of note cards regarding his

21 testimony today.

22 Please state your name and address

23 for the record.

24 MS. PRICE:

25 Hi. My name is GiGi, Janice Price.

1 I live at 5121 Bayou Black Drive. I

2 live within the two-mile area.

3 I'm speaking on behalf of our  
4 volunteer fire departments out here. I  
5 belong to the Gibson Volunteer Fire  
6 Department and Fire and Rescue. I'm a  
7 first responder. We have a couple of  
8 our members out here tonight, and I just  
9 wanted to speak on our behalf. I am  
10 totally opposed of the tank or tanks  
11 that we're trying to bring in from a lot  
12 of different angles.

13 I raised a granddaughter out here.  
14 She went to the schools that we have out  
15 here. Been to many of your homes. We  
16 know a lot of your faces from first  
17 responding to your homes for whatever  
18 situation (inaudible).

19 But there's another aspect to having

20           these tanks out here. If you remember  
21           two years ago, we had an explosion not  
22           far from my home. Three men blew up in  
23           these tanks. It imploded. Now, these  
24           -- this tank was not full when it  
25           exploded or imploded. This tank was

1           being worked on. This tank was -- they  
2           were doing cleaning maintenance on it.  
3           So it's not just the tanks as they're  
4           full, it's the maintenance of them, it's  
5           all that goes with these tanks. Because  
6           when we worked on these poor fellows  
7           that had the skin just literally falling  
8           off their bodies, getting them ready to  
9           be air-lifted out of here, we had human  
10          lives in our responsibility.

11           And I'm just speaking for our fire  
12          department to let you know as first  
13          responders out here, we do this as total  
14          volunteers. And I want to know, God  
15          forbid if something should happen, if we  
16          have an explosion or an implosion, or if  
17          anything should happen maintenance wise  
18          or anything -- because these tanks are  
19          not manned by themselves, someone has to

20 keep them up -- and when there's  
21 problems or maintenance that has to go  
22 forth on these, who's going to take care  
23 of the people that get hurt? Who's  
24 going to take care of our residents that  
25 we see out here? Who's going to pick up

1 the pieces of our people?

2 We're volunteer fire department out  
3 here. We have three departments in our  
4 district, District 8. We don't have the  
5 manpower to pick everyone of you up.  
6 God help us if we had that kind of  
7 situation, because that's what we're  
8 here for. That's what we volunteer for.  
9 That's why while you're at sleep at  
10 night, tonight even, it could happen,  
11 and we get a call out in the middle of  
12 the night to pull somebody out of the  
13 bayou or, God forbid, one of the tanks  
14 that are here now explode. That's what  
15 we're here for. Because we do this  
16 because we love our community and our  
17 people. I want to know who's going to  
18 assist us if something should happen?

19 I'm totally against this tank or

20 tanks. I'm totally against anything  
21 that would hurt our people, because we  
22 love each other out here.

23 Thank you.

24 MR. REINE:

25 Please state your name and address

1 for the record.

2 MR. BUQUET:

3 Again, my name is Godfrey Buquet. I  
4 live at 136 Wayne Avenue in Houma,  
5 Louisiana.

6 The thought struck me as these  
7 people were talking, I don't know where  
8 this oil comes from and I don't know  
9 where it goes. It stops here,  
10 apparently, for a temporary time. But,  
11 you know, in this part of the country,  
12 Louisiana ain't that far north. You can  
13 tax domestic oil. But if it comes in a  
14 ship from a foreign country to come to  
15 this pipeline, Louisiana doesn't receive  
16 any taxes.

17 So what this facility is doing is  
18 putting to risk the people's lives.  
19 It's eating up the resources or

20 (inaudible) up the resources of the  
21 community and the parish, and yet we  
22 can't collect a penny worth of tax out  
23 of it. Now, when it leaves Louisiana  
24 and it goes to Arkansas and it goes to  
25 Texas, they can tax it. But we can't.

1           So you might want to consider  
2           talking to your representatives and your  
3           senators. They need to fix that problem  
4           also in Louisiana. We've lost billions  
5           of dollars by not being able to tax  
6           foreign oil that goes through here?

7           Again, I don't know if this facility  
8           takes care of foreign oil, but if it  
9           does, it needs to be taxed and the  
10          people shouldn't have to suffer and not  
11          get anything at all from it.

12          Thank you very much.

13          MR. REINE:

14          Is there anyone else that would like  
15          to speak?

16          Recognizing that there's no other  
17          individuals that would like to speak,  
18          we're going to go ahead and close this  
19          hearing.

20 I would remind you that the comment  
21 period for this Proposed Initial  
22 Synthetic Minor Source Air Operating  
23 Permit for Plains Marketing, LP, Gibson  
24 Terminal, ends at 12:30 p.m., Monday,  
25 October 22, 2007.

1           I have received a total of seven  
2           exhibits, marked -- and the last exhibit  
3           from John Rochelle was indeed marked  
4           Exhibit G.

5           If there are no other comments, I  
6           would like to thank you for your  
7           attention and participation in this  
8           hearing.

9           Let the record reflect that the time  
10          is 8:20.

11          This hearing is closed.

12          WHEREUPON, AT 8:20 P.M. THE HEARING ENDED.

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1 REPORTER'S PAGE

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

1 Certified Court Reporter

2 Louisiana License #25021

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## 1           REPORTER'S CERTIFICATE

2

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

6           I, R. Aaron Palmer, Certified Court Reporter, in  
7           and for the State of Louisiana, as the officer before  
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.

19

20

21

22 R. Aaron Palmer

23 Certified Court Reporter

24 Louisiana License #25021

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