

# Annual Perspective

Every year around this time, the Center takes stock of where we've been and where we're headed. This year our self-evaluation is especially significant because the Center has now been in operation for five years, long enough to have a bit of history, which gives our voice added authority and conviction.

But the Center's continued success depends on your support, and there are many challenges ahead that cannot be favorably resolved without your involvement.

As the Center's accomplishments mount, we take pride in our track record including a number of critical activities:

- Educating the public and decision makers about the capacity, condition, and importance of surface and ground water systems.
- Pushing for stronger safeguards through environmental stewardship, more effective planning, and better enforcement of existing regulations.
- Voicing compelling arguments about the long-term implications of current policies, and holding governmental agencies and elected officials more accountable to the public.

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Reconsidered

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There have been many individual instances where these activities took shape – proposed water withdrawals, major development projects, enhancement of state policies and program implementation.

Our emphasis has been on correcting deficiencies in the use of information so as to make better choices, or at least to prevent the most damaging ones, affecting the quality and productivity of coastal resources – natural, economic, and historic. And by doing so, we are working to make permanent improvements in decision-making processes that reflect a broad perspective of current and future interests.

It could be said that, like Dickens, we live in the best of times and the worst of times. These are the best of times because the public is increasingly concerned about the critical importance of the issues we are addressing. A prime example is the long overdue attention that water resources have been receiving in the media, in classrooms, and the halls of our courthouses and legislature.

We have been party to numerous meetings, both on the coast and in Atlanta, where urgent matters such as water quality, water supply, fisheries, and the use of science in making wise decisions have been deliberated. The Center has contributed position papers on water conservation and water management to statewide forums, we have made compelling presentations about coastal issues to the Board of Natural Resources, and we have been privileged to receive the recognition and support of numerous other organizations whose collaboration is essential to the success of such ambitious endeavors.

Witnessing so many gifted and disciplined individuals working together across Georgia for the common good is another powerful indication that these are indeed the “best of times”. But what makes their work, and ours, so essential is the other side of this menacing ledger. As a region, state, and nation, we face problems of enormous difficulty while lacking the reassurance that our institutions are up to the task.

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*It was the best of times, it was  
the worst of times, it was the  
age of wisdom, it was the age of  
foolishness . . .*

*Charles Dickens - A Tale of Two Cities*

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Rampant growth in our five coastal watersheds, from here to Atlanta, Macon, Athens, and Augusta, continues to chew up and pave over land at an unprecedented pace. At the same time, state and federal funds needed to support enforcement of the laws that help keep the impacts of this growth in check are being cut. Economic development programs still often pay little heed to the value of the very ecosystems that make lasting jobs and profits possible. Many individual cities, counties, and corporations continue to compete for resources and influence as if each can win at the expense of the others. And environmental permits are issued on a case-by-case basis with far too little evaluation of their long-term implications.

Despite the profound complexity of these issues, we believe that the Center’s work is helping to shift the odds toward favorable outcomes.

Gradually, people are coming to understand that we must all pay greater attention to the environmental consequences of our actions as consumers, voters, property owners, and employees. Concerned individuals are speaking out, expressing increasingly firm commitment to a sustainable coast. As more citizens participate in this process, we can look forward to a future with fewer problems and better solutions, reduced conflict and greater teamwork, and an enlightened self-interest based on the true value of shared public resources.

We challenge you to help us achieve this future by supporting the Center’s important work.

-- David Kyler, Executive Director

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# Reconsidering Sustainability in Coastal Georgia

Many people ask what we mean by a “sustainable” coast, or “sustainable development.” Before attempting to define sustainability and explain how it might be used to address problems in coastal Georgia, we first describe what the Center is trying to accomplish by using the sustainable approach.

## Rationale for Using Sustainability Analysis and Policies

- ❖ It helps us understand the present situation, the choices available for correcting foreseeable problems, and the consequences of all choices as they affect the future.
- ❖ Being holistic, it forces us to consider how dependent we are on nature, economically and otherwise.
- ❖ Because it is a comprehensive approach, it reveals the problems created by overly fragmented economic development, public health, environmental protection, and other areas of public policy.
- ❖ By showing how current practices contradict their objectives, sustainability analysis assists in getting a more accurate understanding of the costs and as well as the benefits of new approaches.

The basic objective and underlying principle of sustainability is fairly simple: We need to live within the capacity of natural systems. Acknowledging that nature has a finite capacity may seem self-evident, yet the combined effect of our many individual decisions do not reflect our awareness of that maxim.

The original and most widely used formal definition of sustainability came from a United Nations report on environment and economic development in 1987 (*Our Common Future*, by the Brundtland Commission).

Quoting from that report, “We all depend on our biosphere for sustaining our lives. Yet each community, each country,

strives for survival and prosperity with little regard for its impacts on others.” The report went on to call for new approaches to development that meets “the needs of the present without compromising the ability of future generations to meet their own needs.”

By competing for individual advancement without reaching reasonable agreement on the total resource limits and how to allocate them responsibly, humanity is depleting the world’s resources at an accelerating rate. “If environmental scientists are correct... the consequences of not acknowledging material constraints on the economy are scarier than anything the shift to sustainability might imply.” (*Our Ecological Footprint: Reducing Human Impact on the Earth*, The New Catalyst Bioregional Series, 1996)

The last statement may seem like a dramatic claim, but the evidence of its validity is readily apparent even within our own state. Consider water. No one doubts that many of Georgia’s most urgent water resource problems (both quality and supply) are related to excessive development in the Atlanta metropolitan area and other poor judgments imposing unrealistic demands on natural resources. Daily, land use decisions by many local governments continue to add to the mounting difficulty of serving the water needs of a rampantly growing population. [Similar findings apply to air quality and other natural resource issues.]

In the face of overwhelming evidence of adverse consequences\*, the individual decisions of cities and counties in that sprawling urbanization are marching us relentlessly off the edge of a cliff. The cliff we’re approaching is the gradual destruction of our watersheds, five of which are vital to the coast for both water supply and nature-based jobs, not to mention our quality of life.

[\*Evidence includes: Water supply conflicts and water quality problems; traffic congestion, travel costs, and driving fatalities; air quality and increasing respiratory illness, especially among children and infants; contamination of fish, shellfish, and other foods.]

Among those in positions to decide how water is used, or to influence those who do, are people who still argue that

this growth is inherently good, and who therefore seek to promote it at all costs. But exactly what is growth good for? Typically, the answer is “economic development,” “job creation,” and, of course, “pursuit of property rights.” But how much private gain can be made at the expense of public resources, and how do we determine the limits? It is crucial that we answer these questions.

Lacking a larger perspective, many decision makers take too little account of the interests of other groups (current or future) in demanding that their own constituents’ needs are met. What’s most troubling, in our efforts to appease conventionally defined economic interests, few bold steps are taken to lead policy in a more responsible direction. Thus, there is a self-destructive disconnection between the perceived self-interest of short-term thinking and the long-term, ecosystem-level impacts of our actions. This is where sustainability comes in, and exactly the circumstances that led to the concept being advocated.

**“The time has come to readjust our decision-making methods, and the sooner we do it, the less costly it will be.”**

Sustainable policies would require assessment of (1) the capacity and condition of essential natural systems, (2) the needs of all users relying on those systems, and (3) alternative options for making these uses more efficient before access is granted to any additional resources in support of growth. And sustainability would serve to integrate economic and community development programs with goals for health and environmental protection. Without this comprehensive approach, further mistakes cannot be avoided. But to use it, we must confront conventional thinking, which is often narrowly short sighted.

For instance, property rights are stridently used as the basis for objecting to any policy that constrains the ‘highest and best use’ of land. The beguiling simplicity of that argument and its highly emotional ties to our frontier past are also its fatal flaw, proven in numerous legal actions. When growth reaches a certain point, it is no longer possible for one person’s property rights to be pursued limitlessly without hurting the rights of others. That’s what led to adoption of zoning in the ‘20’s, environmental laws in the ‘70’s, and the current push toward merging the multiple objectives of economic, health, and environmental programs through policies of sustainability.

Obsolete and commonly misinterpreted notions of property rights are among the most entrenched justifications for individual decisions that work against our common interests.

Respect for property rights does not have to be equated with blind adherence to market forces, especially when those forces lead us in the wrong direction.

As times change, we must reexamine the rules that prescribe these trade-offs, and now is one of those times.

**“Property rights, like all rights, carry with them a set of trade-offs, offering privileges in exchange for responsibilities. Without proper definition and enforcement of responsibilities, and limits on privileges, there can be no system of rights with lasting benefit to society.”**

Georgia’s rampant growth can no longer be viewed as unconditional prosperity. Nor can locally-driven agendas to compete against other communities or states be validated by accommodating their selfish demands for natural resources, which in one way or another adversely affects other Georgians. Even more to the point, we cannot continue using our public resources to support antiquated notions of development, which gains benefits for the few at the expense of the many – sometimes even within the same city or county. [Case in point - Hercules Air Permit - see article in this issue.]

We must use the logic and information-handling capacity at our disposal to reach decisions that reflect true public interest. Among other things, this will mean more deliberative, thorough decision processes, supported by better information about our natural resources that will help determine the sustainability of choices available and how to reach them.

Environmental research, monitoring, and assessment will be the key to our future success. But for this key to work, we must adapt and integrate all major policies to conform to the principle of sustainability. Until we make this reform, we can expect every solution to produce its own new problems. Piecemeal decisions governing the use of land, air, and water will continue to generate benefits for some at the expense of others. Further, decisions made without reliable understanding of impacts will bring increasing risk.

Sustainability seeks to stem that trend by improving the accountability of our decisions using more complete information to unify the objectives of individuals (voters, employers, property owners, and industries) with those of society, represented by government at all levels. Our future depends on revised approaches that are more realistic and responsible. One of the keys to achieving that will be the adoption and consistent use of sustainability policies.



# **Center for a Sustainable Coast**

## **Programs and Activities**

**2002 Annual Report**

November 2001 - October 2002

221 Mallory Street, Suite B    Saint Simons Island, Georgia 31522

## Coastal Management

*The Georgia Coastal Management Program holds great promise for improving the availability and use of vital information needed to make wise decisions about the use and conservation of coastal resources. Bolstered by the support of federal funding and a comprehensive guiding document, with sufficient public involvement, this program could substantially strengthen environmental safeguards. We are working in collaboration with other groups to help accomplish this goal.*

### ❖ Coastal Stewardship

As an active member of the Coastal Advisory Council, the Georgia Environmental Council, the Savannah Harbor Expansion Stakeholder Evaluation Group, the Glynn County Water Resources Management Advisory Committee, and the Coastal Georgia Greenway Steering Committee, Center staff is promoting stewardship of our natural resources by raising public awareness about vital ecosystem functions, their value to human communities, and their importance to existing and future nature-based businesses and jobs.

### ❖ Coastal Advisory Council

Met with members of the Coastal Advisory Council and staff of the Coastal Resources Division (DNR) to discuss how the program's Coastal Advisory Council (CAC) could become more effective and what their role might be. We proposed steps and criteria for strengthening the program through active council participation.

Center staff presented recommendations of the Coastal Advisory Council Steering Committee at an annual meeting for the Council hosted by the Coastal Resources Division of DNR. The Center played a leading role in shaping the future functions of the Council, which will unquestionably enhance the program's effectiveness.

## Water Resources

*Water quality and flow of water in coastal rivers is essential to the coastal environment. The region's quality of life and economy depend fundamentally on the interrelated systems of rivers, estuaries, freshwater wetlands, tidal marshes, and groundwater. With continuing growth throughout the region's five watersheds, there are numerous threats to coastal fisheries, water supply, and ecosystems. The Center is working with its members, other non-profit groups, and public officials to help improve understanding of issues, analysis of conditions, and regulatory protection of water resources.*



### ❖ Water Quality Petition

The Center's original petition on water quality, signed by scores of coastal Georgians, was submitted to the Board of Natural Resources, along with a memo outlining suggestions to improve water protection. The Center received a written staff response from EPD, and we made additional policy suggestions in reply.

### ❖ Georgia Water Policy Coalition

Joined the newly created Georgia Water Policy Coalition, a network of 17 environmental groups, and participated in a series of meetings in developing a comprehensive state legislative water policy proposal for consideration by the Governor and General Assembly. Efforts are intended to ensure protection of water as a public resource.

### ❖ Spoke to DNR Board on Water

We joined a coalition of groups speaking in opposition to a water withdrawal permit for the Lower Floridan aquifer in Richmond Hill, pending the findings of state-funded environmental research already underway.

### ❖ Savannah Harbor Deepening

Continued working with representatives of harbor project stakeholders to carefully evaluate all aspects of proposed harbor expansion. Advocated use of peer review to ensure objectivity of stakeholder findings.

### ❖ Water Resource Protection

- Testified at EPD public hearings in Richmond Hill to oppose city's use of the Lower Floridan Aquifer due to risks of further contamination of the Upper Floridan Aquifer, the region's most important water supply source.  
- Commented extensively on a report of the Coastal Marsh Hammock Advisory Committee and presented major points in two public hearings held by Coastal Resources Division of Georgia DNR.

### ❖ Legal Decision

#### Supporting Center's Action

As a result of a legal action filed on behalf of the Center and four other groups by the Southern Environmental Law Center, a judge revoked a Marshlands Protection permit for developing a one-acre site along the MacKay River in Glynn County. The project would endanger water quality, wildlife habitat, and public safety.

### ❖ Media Coverage on Water Issues

Three coastal newspapers covered the Center's positions on issues raised in our water quality petition (*The Camden County Tribune, The Savannah Morning News, and The Brunswick News*). Articles helped raise public awareness about critical resource protection problems and need for improved public policies. Georgia Public Radio coverage raised further public awareness of Center efforts.

## Environmental Education & Values

*To achieve significant progress toward ways of living that are more compatible with our natural environment, we must raise awareness about the consequences of our actions – as consumers, workers, and residents. If future generations of coastal Georgians are to enjoy the region's rich diversity of fish, wildlife, and natural landscapes, we must align economic and political motives with those of public interest to realize a sustainable coast. This can only be accomplished through education, and through this education, reconsideration of our basic values. In our newsletter, **Works in Progress**, our website, editorials, commentary, and public presentations, the Center strives to inform and educate our members, elected officials, landowners, and many others whose actions affect this region's future.*

### ❖ Publications

- Working with Georgia Southern University, we published the Citizen's Guide to Development in Coastal Georgia, a handbook that will help prevent unintentional violation of state and federal environmental laws by acquainting the public with regulatory requirements for land development.

- The Center's policy recommendations for improving resource protection appeared in the widely circulated 2002 Georgia Environmental Briefing Book, published by the Georgia League of Conservation Voters Education Fund.

### ❖ Land Use Planning & Education

- Sent memo on development issues and related reference materials to 65 coastal elected officials, chamber of commerce presidents, and development authority directors. Purpose was to explain research evaluating the costs of Georgia development and reducing non-point source pollution using low-impact storm water controls.

- Published comments in local paper supporting use of Brunswick city docks for traditional shrimping operations, objecting to proposed commercial fishing prohibition to accommodate cruise ships.

### ❖ Environmental Education & Public Involvement

We also make numerous presentations to local civic groups, professional societies and students about coastal environmental

issues, development trends, and policy changes needed to reduce environmental risks. The Center's website and newsletter are used to enhance the environmental awareness of our members and many other environmentally concerned citizens, and to assist them in taking effective, timely actions. (We distribute more than 1,300 copies of our newsletter).

### ❖ Environmental Valuation

In partnership with several other co-sponsors, we outlined and agenda in proposing a forum on methods used to estimate the value of environmental resources and functions. The event is planned for 2003.

## Land Use & Development

*Land use and development are inevitable as the coastal population continues to grow. Disturbance of natural landscapes, wildlife habitats, and historic communities can permanently alter the visual and environmental quality that makes this region so appealing. Not all development is equally desirable or destructive. Decisions about how, when, and where to develop can greatly influence the degree to which coastal growth complements or contradicts the public's interest. The Center provides guidance in advising decision-makers about the benefits and costs of alternative development choices.*

### ❖ Coastal Growth & Development Policy

Published comments in four different newspapers discussing development issues raised in public debate about marsh hammock protection. Center advocated reassessment of the region's growth priorities, choices, and decision criteria, and a moratorium on hammock development until new policies are adopted.

### ❖ Land Use & Water Resource Protection

- The Center helped convince local officials to oppose a speculative project that would have unjustifiably disturbed wetlands and consume enormous quantities of water, while providing few jobs or other benefits.

- Analyzed a proposal for a power plant in Glynn County, then submitted written objections to the planning commission based on the project's excessive water use in relation to very limited local job benefit. The proposal would jeopardize local economic opportunities by using our water to sell electricity in other states.

### ❖ Media Coverage of Development Issues

In several local newspaper articles, Center staff explained environmental implications of the power plant proposal in Glynn County. We emphasized the importance of using natural resources to achieve maximum public benefit, avoiding activities that exploit local resources to profit outside speculators and investors.

### ❖ Hammock Research

Center intern Kimberly Stewart, a recent graduate of Georgia Southern University's masters program, conducted Internet research on the biological characteristics of marsh hammocks, their function and value, and how to protect them. The research was done in conjunction with work of The Georgia Conservancy under funding from The Sapelo Foundation supporting hammock protection.

## Air Quality & Atmospheric Deposition

*Cumulatively enormous amounts of toxic contaminants are released by coal-burning power plants. Those most likely to be affecting coastal Georgia are in Alabama, South Carolina, Tennessee and upstate Georgia - at least two dozen plants are in question. The Center collaborates with other organizations in raising public awareness about the importance of these issues and actions that can be taken to address them.*

- ❖ At a State Capitol press conference we supported a moratorium on permitting power plants

The event was organized by a coalition of organizations concerned about water supply and quality. Numerous power plants are being planned by companies seeking approval to consume huge quantities of Georgia water resources to sell electricity to users in other states, an unwarranted use of natural resources.

- ❖ Spoke to the Board of Natural Resources about mercury pollution

We advocated revoking the permits of obsolete coal-burning power plants, which cause coastal fish contamination and dangerous human health risks through mercury pollution. Later, at a public meeting in Savannah, Center staff testified to EPD about regional mercury pollution caused by nearby Plant Kraft.

- ❖ Worked with other groups on air quality issues

Collaborated with several statewide organizations to fight sources of mercury contamination and acid rain through progressive proposals to improve energy policy sent to the Governor's Energy Task Force and in advising members of Congress about federal energy bills.

## 2002 Board of Directors

**Jack Amason**  
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resources, local government,  
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(Camden County)



# Man Head Marina

## Permit Revoked for Commercial Marina near St. Simons Island

### Brunswick, Georgia

In a rare move, an administrative law judge has overturned a permit for the Man Head Marina, citing concerns about contaminated wastewater and other environmental impacts from the proposed commercial facility on a small island on the Mackay River. Conservation groups who challenged the permit heralded the decision as an important signal to the state Coastal Marshlands Protection Committee that it must review more thoroughly the environmental consequences of building proposals for the coast's upland areas, which are under increasing development pressure as the region continues to grow.

“To allow a development like this would be a travesty of the Coastal Marshlands Protection Act,” said Derb Carter, a senior attorney with the Southern Environmental Law Center (SELC) which filed the permit appeal on behalf of five environmental organizations. “The judge recognized the problems with this proposal, which the committee failed to see.” Administrative Law Judge Jessie Altman issued her decision August 16.

Last August, the committee granted a permit to Man Head Marina, Inc., to build a marina on a 1-acre upland area on the western bank of the Intracoastal Waterway adjacent to the Torras Causeway, which connects Brunswick and St. Simons Island. The permit authorized 109 wet slips, a 785-foot transient fueling dock, an 11,000-square foot dry dock and boat maintenance yard, a storm drainage system that would discharge directly into the marsh, a store and office building, a septic system, and a 42-space paved parking lot. The facility would have covered the entire island, leaving no buffer between the development and the marsh.

In addition, the permit included a lease for 10.5 acres of publicly owned marshlands adjacent the island. Because of the lease, the Act requires the developer to show that he has sufficient land to properly service the proposed marina. “Man Head Marina Inc. does not have enough land to build this project without posing serious threats to publicly owned waters,” Carter said. “Clearly, the size and scope of this project would have overwhelmed the small island and marsh habitat.”

SELC appealed the permit in September on behalf of five groups - the Center for a Sustainable Coast, the Sierra Club, the Altamaha Riverkeeper, the Glynn Environmental Coalition, and Residents United for Planning and Action. They argued that the developer lacked an adequate plan to handle sewage from boats and from the facility itself, posing a potentially serious threat to water quality in the marsh. They also showed that the developer did not have an adequate plan



for dealing with traffic to and from the marina. During the three-day hearing before Judge Altman in April, the Georgia Department of Transportation testified that modifying the Torras Causeway to provide safe access to the marina would entail filling between 1,800 and 2,400 square feet of marshlands.

Carter said the judge's decision to revoke the permit on these two issues sets a key precedent to discourage the committee from allowing developers to “segment” their projects - in other words, getting a permit without divulging the full scope of potential impacts, and so preventing the committee from reviewing the environmental consequences of the entire project. “They knew that access and sewage disposal were going to be problematic, so they failed to offer any adequate solutions, and the committee let them get away with it,” Carter said.

The Man Head Marina case is part of a broader effort by SELC and other groups to strengthen the enforcement of Georgia's Coastal Marshlands Protection Act by the committee. SELC is representing several of the groups [including the Center for a Sustainable Coast] in challenging the Emerald Pointe project near Savannah. In that case, the committee issued a permit for construction of three bridges linking three privately owned marsh hammocks. The groups argued that the committee should have considered impacts to the marsh from the residential development that would result. That case is pending in Fulton County Superior Court.

*(This summary provided by SELC as public information.)*

**Note: As we go to press, the state has filed a challenge to the ruling on the Man Head permit.**

**About the Southern Environmental Law Center**  
Founded in 1986, SELC is the only non-profit, regional organization dedicated solely to protecting the South's environment and outstanding natural areas. SELC's conservation projects include native forests, wetlands, the coast, clean air, rivers and streams, wildlife habitat, rural landscapes and livable communities. SELC works through legal advocacy and policy reform in partnership with more than 100 other groups in Alabama, Georgia, North Carolina, South Carolina, Tennessee and Virginia.

# COMMENTS ON HERCULES, INC. TITLE V AIR PERMIT

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## Highlights of Proposed Permit

- Release of 6 million pounds of toxins a year (3,000 tons)
  - Includes two dozen toxic chemicals
  - Allows unconditional release for as long as four hours
- 

## Hercules Plant Brunswick, GA

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### Related Toxic Contamination from Hercules in Brunswick

- 009 Superfund site on Parkway near Colonial Mall (toxaphene contaminated landfill)
  - Terry Creek Superfund site
  - Toxaphene contaminated estuary
  - Former toxaphene impoundments with related groundwater contamination
  - Neighborhood with toxaphene contaminated yards
- 

Above based on data from US-EPA, GA-EPD and the Glynn Environmental Coalition

**Southeast Georgia  
Regional Medical Center**

## Comments on Hercules, Inc. Title V Air Permit

*On September 3rd, I joined several dozen concerned citizens in attending a public hearing held by the Environmental Protection Division (EPD) in Brunswick to explain the Clean Air Act permitting process and to receive questions and comments about that process as it applies to the current review of an air quality permit application by Hercules, Incorporated. Hercules operates an aging chemical processing plant located in an area that is shared by numerous residential, commercial, and public land uses, including a public school, a hospital, and many homes of low- and moderate-income families. Enormous amounts of community effort (and public resources) have been invested in identifying, analyzing, and controlling toxic materials generated by Hercules over many decades of its existence, mostly accomplished in the past ten years through the initiatives of the Glynn Environmental Coalition, a grassroots non-profit environmental group, working through the Superfund Program administered by the federal Environmental Protection Agency (EPA). Given the extended period of known risk exposure from past Hercules activities, offensive smell, and various identified respiratory health problems linked to Hercules stack emissions (totaling some six million pounds a year), the public is justifiably concerned about the prospects of this permit being issued. The following material is derived from our written comments submitted to EPD and copied to EPA.*

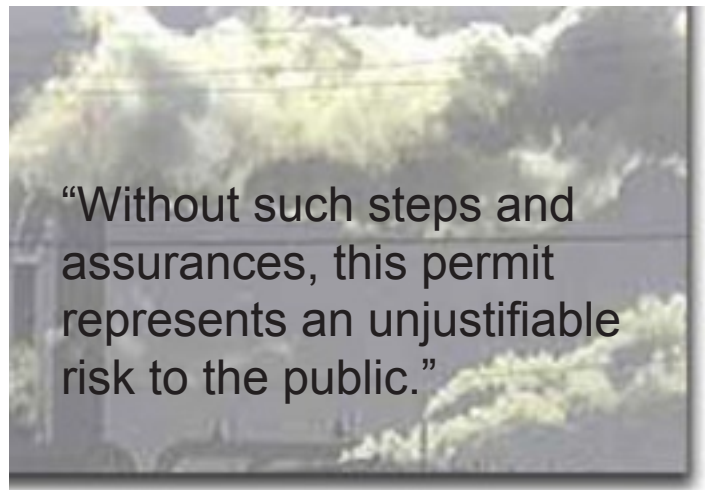
– David Kyler

EPD has not demonstrated that the Title V permit for Hercules would be in the public's interest, or that it would become so if issued. The Center's conclusions were based on our assessment of review procedures as described by EPD, combined with related written materials showing details about technical assessment and human health risk of the two dozen chemicals emitted by Hercules at the Brunswick site.

Neither the information available, nor the technical analysis applied to it, is sufficient to protect the public from the considerable threats presented by these toxic releases. It is also very troubling that EPD would allow 'accidental' chemical releases by Hercules for as long as 4 hours, regardless of the content, risk, or frequency of such events.

Furthermore, EPD presented no evidence that testing for the full range of hazardous constituents and their interactive effects in the ambient atmosphere was done, or that this testing was at frequent enough intervals over a sufficient period and under various weather conditions to ensure reliable assessment.

A case in point of particular concern is the known risk of exposure to both formaldehyde (released in huge quantities by the nearby Georgia Pacific plant) and formic acid,



6.4 tons of which are emitted annually by Hercules. There are likely to be numerous other examples of dangerously elevated risks from combined exposure within the impact area of the Hercules plant, but EPD provided no credible assurances that these were adequately analyzed.

In the face of such overwhelming challenges and deficiencies, EPD was presented with extensive compelling empirical evidence about major respiratory health problems in the surrounding community. Many residents believe these problems are linked to Hercules air emissions, possibly in combination with other ambient conditions in the vicinity. There was no information offered by EPD suggesting that staff members were familiar with these relevant public health issues, or that such issues had been adequately investigated in conducting the permit review.

It is the Center's position that until EPD can demonstrate both (1) sufficient analysis to ensure that the permit would not "injure people, unreasonably interfere with the enjoyment of life or use of property," (as specified in the applicable law) and (2) reliable, accountable procedures for monitoring and assessment of all operations under such a permit, no permit should be issued.

In summary, prior to further consideration of this permit EPD should provide the following:

1. An independent evaluation of the impacts of combined chemical exposures from Hercules and other industrial emitters in the area.
2. An independent epidemiological study of respiratory and other health problems of the residents exposed to Hercules emissions.
3. Specifications for mandatory reporting and evaluation of all releases that are not explicitly permitted, regardless of the duration, frequency, or composition of these deviations from permitted conditions.

Without such steps and assurances, this permit represents an unjustifiable risk to the public.

*Works in Progress*

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A handwritten signature in black ink, appearing to read "Bob Drury", is located in the bottom right corner of the page.