DEQ blasts Marine Shale Processors

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The Department of Environmental Quality blasted Marine Shale Processors Friday in a letter denying the company's application to modify its air emissions permit and suggested the company is going to have to cut back on its operations.

"It is evident that MSP's current level of business activity is based on operations producing unauthorized emissions from unpermitted sources and emission" from its kiln which are beyond those agreed to in MSP's permit, the agency states in the letter of denial.

"I'm going to steadily increase my business, and if they don't like it, they can come to court," MSP owner Jack Kent said in a telephone interview.

He accused DEQ of playing politics, and said MSP doesn't produce nearly the amount of pollutants as many companies operating in the Baton Rouge area.

"If they think for one minute they are going to treat me different than they do these major corporations, they have another thought coming," Kent said. "I expect them to treat Marine Shale better than out-of-state corporations. If they don't like that, they can do whatever the hell they want to do."

"A review of records associated with operation of the MSP facility reveals a history replete with citations of violations of environmental laws and regulations, and a pattern indicative of disregard for the state's environmental regulations and recalcitrance with respect to DEQ directives," DEQ

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assistant secretary Mike McDaniel states in the letter, which notes that DEQ has outstanding penalty assessments against MSP for more than $5 million.

"Records show MSP to be presently operating with a substantial number of unpermitted emission sources even after the First Circuit Court of Appeal and the Louisiana Supreme Court upheld DEQ's denial of MSP's request for a variance to operate with those sources," the letter continues. "It is also manifestly clear in the results of stack tests conducted in 1988 and in 1990 that MSP has operated in violation of its permitted emissions limits.

The record clearly indicates that MSP has knowingly violated the conditions of its existing permit and breached the Jan. 3, 1986, settlement agreement with DEQ," McDaniel says in the letter.

"..."There is... no doubt that the emissions from the unpermitted sources"... some of which are cancer-causing agents or other compounds that may cause public health or environmental problems, "cause a deterioration of the air quality" in the area of the plant, the letter states.

"MSP's compliance history, the stack test results, EPA's technical evaluation of the MSP combustion system for Kiln No. 1, operating records and the results of some complaint investigations all give rise" to a concern that operation of the facility in the manner proposed will not "provide the necessary consistent levels of emissions controls," McDaniel says in the letter. "Such emissions must be immediately discontinued.

DEQ officials say the action is likely to cause the company to cut back its operations, which involve the burning of hazardous wastes near Morgan City to create aggregate.

"DEQ does not take lightly any decisions that affect the employment and livelihoods of Louisiana citizens," it states. "We are cognizant that the decision to deny the MSP permit modification request may result in a reduction of business activity to the level contemplated in the original permit..."

"I was running (MSP) when they (the heads of the current administration) all got to DEQ, and I'll be running when they leave," Kent said.

Kent said he has never sought the tax exemptions or other kinds of government help that, "these Delaware corporations get on a regular basis," and he is not emitting the levels of pollutants that some out-of-state companies are emitting.