



TULANE LAW SCHOOL
TULANE ENVIRONMENTAL LAW CLINIC

August 30, 2023

By email to: linda.hubbell@stjamesparishla.gov and U.S. Mail
Letter without attachments by facsimile to: 225-562-2401
St. James Parish Council
5800 Hwy. 44
Convent, LA 70723

RE: Appeal of July 31, 2023, Commission Approval
of Item # 23-25, Koch Methanol St. James, LLC, Land Use

Dear Members of the St. James Parish Council:

On behalf of Ms. Beverly Alexander, RISE St. James, Inclusive Louisiana, and the Mt. Triumph Baptist Church (collectively, “the Residents”), we appeal the July 31, 2023, St. James Parish Planning Commission (“Commission”) approval of Koch Methanol St. James, LLC’s (“Koch Methanol’s”) proposal to expand operations at its methanol production facility (“chemical plant” or “facility”) to increase its methanol production rate and install a pipeline to convey oxygen to the facility (“expansion project” or “Proposal”). The Residents include residents of St. James Parish’s majority-Black Districts 4 and 5, some living within one-half mile of the Koch Methanol facility. The Koch Methanol site immediately abuts an area of the Parish designated as Residential Growth. The proposed expansion would also require intrusion into and construction on adjacent land designated as wetlands.

This appeal is timely filed under Article II, § 82-25(f) of the Code of Ordinances of St. James Parish (“Ordinance”), which gives aggrieved persons the right to appeal the decision of the Planning Commission approving Koch Methanol’s land use proposal within 30 days from the date of the decision. The Commission approved the Koch Methanol application at its July 31, 2023, meeting. Exhibit 1 (July 31, 2023, Minutes from Commission meeting and Resolution approving Koch Methanol application).

The Council should grant this appeal and deny the Koch Methanol land use application. Koch Methanol’s expansion project offers very little to the Parish and its residents in the way of benefits—particularly to the disproportionately impacted residents living near the site—but adds significant environmental impacts. The project will lead to only two permanent jobs, and there is no way of knowing how many of the estimated 400 temporary construction jobs will go to Parish

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residents and how many will go out of state. Koch Methanol has obtained an industrial tax exemption for its project, so tax revenue to the Parish will be reduced significantly.

In contrast to the relatively minor and temporary revenue the project will produce for the Parish, its air emissions, water discharges, and risks of explosion and accidental releases will be permanent and long-term. The project will lead to increases in emissions of every criteria pollutant—some of them large increases—and will drastically increase the toxicity of its air emissions due to new and increased toxic pollutants. The project will add yet another risk of a chemical fire or explosion, as it will introduce ethane into the system, which is flammable. As the Parish has never dealt with the serious lack of sufficient emergency evacuation, this poses an even greater threat to area residents.

The Commission had almost no information on the project's increase in harmful air pollutants to review, as Koch Methanol did not include any information on its air emissions in its application. *See* July 31, 2023, Commission Agenda Attachment, Koch Methanol Application ("Application"), attached as Exhibit 2. Only at the July 31, 2023, meeting, with no time to process any of the information, did the Commission receive some information from Koch Methanol about its air emissions, via a PowerPoint presentation. This was woefully inadequate for the Commission to have made a considered determination of environmental impacts.

In sum, the public benefits of the project are not commensurate with the impacts. Further, given that the adjoining land to the southeast of the project is zoned for Residential Growth, the environmental impacts of this polluting facility will impair the Parish from attracting people to live in that area, which is the beneficial use the Parish decided it wanted to attract there.

A. Koch Methanol failed to disclose the anticipated quantities of hazardous substances—including extremely hazardous substances—on site, in violation of Code of Ordinances § 82-25(g)(3)(b).

The St. James Parish Code of Ordinances, § 82-25(g)(3)(b), requires a land use applicant to list all substances anticipated to be present on site for which reportable quantities have been established under the Emergency Planning and Community Right to Know Act (EPCRA) and the Louisiana version of EPCRA at La. R.S. § 30:2361 et seq. ("hazardous substances"). The Code also requires applicants to disclose "the anticipated quantities of such substances" in their applications. St. James Par. Code Ord. § 82-25(g)(3)(b). Koch Methanol's publicly available application lists the hazardous substances anticipated to be present on site but does not list the anticipated quantities of any of those substances. *See* Application at 8-9. The absence of this information renders its application deficient under Parish law, and the Parish must obtain this information from Koch Methanol and make it publicly available.

Information on hazardous substances present on industrial sites, and their quantities, is critical information, not only for emergency responders and for the Parish but for the public.

Indeed, one of the primary goals of the EPCRA and Louisiana’s Right-to-Know Law is that information on hazardous substances be provided to the public (hence the “Right to Know” portion of those acts’ titles). *See* Extremely Hazardous Substances List and Threshold Planning Quantities; Emergency Planning and Release Notification Requirements, 52 Fed. Reg. 13378, 13378 (EPCRA “is intended to encourage and support emergency planning efforts at the State and local levels **and provide the public and local governments with information concerning potential chemical hazards present in their communities.**”) (emphasis added); *see also* La. R.S. § 30:2362(A) (“The legislature hereby adopts as a policy that the citizens of this state have the right and responsibility to know about and protect themselves from the risks and effects of hazardous materials in their environment.”).

Koch Methanol will have several hazardous substances present on site, including methane and ethane which are both also highly flammable. The public, and the Planning Commission, should have had this information before any Parish recommendation or approval took place. Therefore, the Council should remand to the Commission to reconsider Koch Methanol’s application once the information about the quantities of all hazardous substances has been provided. Because Koch Methanol is planning to increase its output, and amounts of many hazardous substances present on site will increase, Koch Methanol may not elect to provide information only on the substances it classified as “new.”

B. The purported public benefits of the proposal do not justify the project.

Koch Methanol provided almost no information in its publicly-available application to detail, demonstrate, or quantify its expansion project’s purported “benefits,” that the Parish must evaluate under § 82-25(h)(2). It chose to rely instead on blanket unsupported claims. Koch Methanol stated how much money it was investing in the project, vaguely alluded to “property tax revenue” and “additional sales and use tax benefits,” and the number of temporary and permanent jobs the project would provide. Application at 2. In a sentence, it touted purported benefits of investments in the areas of “education, community enrichment, entrepreneurship, and environment.” Application at 3. Without any support for these claims, it is difficult to understand how the Commission evaluated the public benefits of the project and how those benefits “are commensurate with the impact.” *See* St. James Par. Code Ord. § 82-25(h)(3). Based on the information Koch Methanol provided in its application, the benefits of the project to St. James Parish residents are minimal.

1. Koch Methanol’s claims of public benefits in the form of property taxes conveniently omit its property tax exemption.

Koch Methanol alleges that the expansion project “will provide additional property tax revenue.” Application at 2. Koch Methanol neglected to mention that it has received an Industrial Tax Exemption under the ITEP program for its expansion project, exempting the company from paying local property taxes which would otherwise have returned to the community. *See* Exhibits

3 and 4 (ITEP spreadsheets). Under the ITEP program, the total estimated property tax exemption for Koch Methanol comes to \$1,261,072.92 in taxes annually for both expansion projects for a period of five years, with the option to renew.¹ Though Koch Methanol claimed in its PowerPoint that it has a “continued” tax contribution of \$1.1 million per year, this appears to speak only to the taxes paid on *the existing project*. See Exhibit 5, Koch Methanol PowerPoint. It is therefore irrelevant to the question of how much property tax the Parish will realize from *the expansion project*, the only relevant consideration. The Council needs to obtain clear information about how much property tax income it will receive from the expansion project alone.

2. Koch Methanol has already failed to deliver on promised jobs, and the project will only produce two permanent jobs with no guarantee as to how many of the 400 temporary construction jobs will go to Parish residents.

Koch Methanol has already failed to deliver on its promise of creating jobs. In its initial ITEP application, submitted in October 2015, Koch Methanol estimated 200 new jobs at its St. James facility (excluding temporary construction jobs; Table 3). In subsequent ITEP applications, Koch Methanol estimated another 76 new jobs, for a total of 276 permanent new jobs (Table 3). In exchange for these promised jobs, Koch Methanol has received over \$15 million in exemptions on annual taxes. Yet, in a jobs survey conducted by St. James Parish in 2022, Koch Methanol reported only 113 employees, more than 150 jobs short of its promise. Despite its failure to deliver jobs, Koch Methanol applied for yet another industrial tax exemption for the proposed project, seeking additional annual exemptions for a mere 2 jobs (Table 3). Koch Methanol misleadingly describes the proposed project as a “Sustainability Project,” despite the corresponding massive increase in the toxicity of its emissions.

Additionally, Koch Methanol contends that the facility expansion will result in the creation of 400 temporary jobs and two permanent positions. Application at 2. Patently, two permanent jobs are an absurd tradeoff for the significant negative environmental impacts the project is certain to cause.² Even as to the 400 temporary jobs, there is no guarantee that Koch Methanol will employ members of the local community to fill these positions. Any, all, or most of the temporary jobs could go to out-of-Parish, or even out-of-state workers. Residents are familiar with industrial construction sites packed with automobiles with out-of-state license

¹ Residents believe that the Parish also must approve the ITEP exemption. The Parish should not approve the additional exemption Koch Methanol seeks, as two permanent jobs and no guarantee of how many local residents would receive the temporary jobs is a bad tradeoff for millions of dollars in property taxes.

² Koch Methanol likely recognized the weakness of its jobs claim and therefore also invoked the 114 jobs “that would be retained.” Application at 2. The Parish is considering Koch Methanol’s proposal for its “optimization” and “oxygen backup supply” projects, not whether it can continue to operate its current facility. The 114 current jobs are irrelevant to these proceedings.

plates. Additionally, the project is expected to be completed after a five-year construction period, and while these jobs are temporary, the increase in air emissions as evidenced by Koch Methanol's permit application documents submitted to the Louisiana Department of Environmental Quality (LDEQ) are not. *See* Exhibit 6 (excerpt from Koch Methanol air permit application documents); *see also* Tables 1 and 2, attached. The community will likely also experience a decrease in water quality as illustrated by Koch Methanol's history of Clean Water Act violations, as described below. The environmental harm and health impacts that the community will suffer as a result of the expansion project drastically outweigh the minimal economic benefits promised by Koch Methanol in its application.

3. The project will impair the attractiveness of the Parish for future development beneficial for the health and safety of Parish residents.

The Ordinance requires the Commission to consider whether the environmental impacts of the facility may impair the Parish's ability to attract other beneficial development. St. James Par. Code Ord. § 82-25(h)(3). The Commission found no impairment "by virtue of the project's location in an industrial area and its distance from potentially impacted uses." Exhibit 1, Planning Commission Meeting Minutes at 3. The Commission did not state which beneficial uses it was considering. It appears the Commission gave no consideration to the project's air emissions, because it had no information about the distances that those emissions will travel or their health impacts.

The Council must consider the impact of this large source of pollutants on the planned residential development to the immediate southeast of the site. It stands to reason that people will not want to live so close to a large, polluting industrial facility that also poses a risk of an explosion. Thus, Koch Methanol's expansion will negatively impact residential growth in the area, thereby harming beneficial development.

C. The project will have significant real environmental impacts and poses a threat of significant potential impacts like emergency releases and explosions.

Despite Koch Methanol's repeated attempts to downplay and circumscribe the extent of its project, the project will lead to increases in every criteria pollutant—some of them large increases—and will drastically increase the toxicity of its air emissions due to new and increased pollutants it would now emit. Koch Methanol did not make this information available to the Commission, but it is highly relevant to the Parish's required consideration of environmental impacts of the proposal. Indeed, these significant increases in emissions heavily weight the cost-benefit balance on the cost side and mandates denial of the application. Similarly, the changes the project proposes would increase risk of a serious accident, again weighing heavily in favor of denial.

1. The project will significantly increase emissions of harmful pollutants,

and the proposed new heavy metal emissions would increase the toxicity of Koch Methanol's emissions by over 3,000%.

Koch Methanol proposes significant increases in emissions of nearly all criteria pollutants (Table 1) and more than a dozen toxic air pollutants (Table 2). These emissions have well-established health impacts that collectively include lung cancer, leukemia, respiratory disease, brain and nerve damage, kidney damage, and birth defects (Tables 1&2). Neither Koch Methanol, LDEQ, nor St. James Parish can ensure that residents are protected from unsafe levels of these pollutants because there are no LDEQ air monitors for any of these pollutants in St. James Parish or within 15 miles of Koch Methanol's facility (Table 1).

Koch Methanol did not provide any information on its air emissions to the Commission; it only listed substances that would be stored or present on the ground. But air emissions are a key issue in considering the environmental impacts of the proposal, as the Parish is obligated to do. *See* St. James Par. Code Ord. § 82-25(h)(3).³ Residents obtained the list of pollutants that Koch Methanol will emit if its proposed "optimization" project is permitted from Koch Methanol's application to LDEQ for an air permit. Exhibit 6. The increases associated with the proposed project are so significant that they would transform the facility into a major source of air pollution under the Clean Air Act. Koch Methanol's proposed project will result in the stationary source's potential to emit (PTE) of NO_x, CO, and VOC increasing to greater than 100 tons/year. LDEQ Permit Notice at 12.⁴ These increases (shown in Table 1) result in the facility being classified as a PSD major stationary source for these pollutants identified by EPA as harmful to public health. *Id.*; *see also* Managing Air Quality—Air Pollutant Types (explaining that criteria pollutants can harm health and the human environment).⁵

The proposed increases in toxic air pollutants appear deceptively small, and Koch Methanol's application to the Parish omits key information about the relative toxicity of these compounds. Toxicity factors are essential to understanding the health risks associated with the proposed emissions. For example, chromium VI is over 1,000 times more toxic than benzene (Table 2). While Koch Methanol proposes to emit 0.015 tons per year (30 pounds per year) of chromium, these emissions alone would be 20 times more toxic than all of the emissions in the current permit combined (Table 2). In fact, the proposed project would increase the toxicity of Koch Methanol's emissions by more than 3,000% (from a total toxicity-weighted value of 28,025 to 981,609; Table 2). The reason for this massive increase in toxicity is Koch Methanol's

³ Residents believe that pollutants emitted into the air are also "present on the site" and so should be included in the application along with chemical substances present on the ground. *See* St. James Par. Code Ord. § 82-25(g)(3)(b).

⁴ <https://edms.deq.louisiana.gov/app/doc/view?doc=13920052&ob=yes&child=yes>.

⁵ [https://www.epa.gov/air-quality-management-process/managing-air-quality-air-pollutant-types#:~:text=They%20are%20particulate%20matter%20\(often,environment%2C%20and%20cause%20property%20damage](https://www.epa.gov/air-quality-management-process/managing-air-quality-air-pollutant-types#:~:text=They%20are%20particulate%20matter%20(often,environment%2C%20and%20cause%20property%20damage)

proposed emission of heavy metals, which are not included in its current air permit (Table 2). These metals, which include arsenic, cadmium, chromium, cobalt, and nickel, are extremely harmful in very small quantities (Table 2). Collectively, they impact nearly every body system, causing damage to the lungs, brain, liver, kidneys, heart, and immune cells, as well as harm to a developing fetus (Table 2).

Koch Methanol has provided no justification for the need to emit these extremely toxic heavy metals into the air. The lack of these pollutants in the current air permit indicates that methanol production does not require the emission of heavy metals. Koch Methanol deceptively describes the proposed changes as an “optimization” project, which implies lower emissions per unit of production. Yet, as Table 2 makes clear, the proposed changes would increase the toxicity of emissions by over 3,000% for a mere 25% increase in production.

The Toxic Air Pollutant (TAP)⁶ increases (shown in Table 2) resulting from the project also make the facility a major source of these pollutants, pollutants whose emissions EPA is actively working with states to reduce due to their serious health effects. LDEQ Permit Notice at 12; *see also* Managing Air Quality—Air Pollutant Types (explaining that toxic air pollutants are those pollutants known or suspected to cause cancer, reproductive effects, birth defects, and adverse environmental effects).⁷

In sum, the project’s air emissions increases—particularly the drastic increase in toxicity—and their associated environmental and health impacts are not, as the Commission claimed, “relatively modest.” *See* Planning Commission Meeting Minutes at 3. Koch Methanol did not detail any of these emissions in its application, let alone demonstrate how these substantial environmental harms will be mitigated in its plan.⁸ The Commission compounded Koch Methanol’s omission by failing to ask for actual data, instead apparently relying on broad and vague self-serving representations by Koch Methanol. The Commission’s approval of the project without this information renders it arbitrary; the Parish cannot fulfill its duty to balance environmental interests against public benefits without considering this key emissions information.

2. The Parish must consider Koch’s history of violations.

According to one study, Koch Industries, the parent company of Koch Methanol St. James, LLC, ranks sixth in the nation for acquiring the most environmental penalty cases since

⁶ TAPs are also known as HAPs (hazardous air pollutants). *See* <https://www.epa.gov/air-quality-management-process/managing-air-quality-air-pollutant-types>

⁷ *Supra* n. 4.

⁸ Air monitoring, even if it were robust and public (which Koch Methanol’s is not; see discussion below), does not mitigate harmful emissions, because it does not reduce emissions.

2000, incurring \$23,291,837 in penalties.⁹ Not only is the parent company nationally recognized as a significant repeat offender of environmental violations, but Koch Industry's subsidiary, Koch Methanol St. James, LLC, also has a history of noncompliance.¹⁰ Koch Methanol St. James, LLC, has been subject to both formal and informal enforcement actions.¹¹ Other subsidiaries of Koch Industries have incurred violations so substantial that the company has been federally prosecuted for environmental crimes.¹²

At its current site, Koch Methanol has also committed numerous permit violations pertaining to the Clean Water Act (CWA), including pH limit violations exceeding acceptable DMR standards between the months of April and June of 2021.¹³ In 2022, Koch Methanol also exceeded its annual DMR allowances in violation of its NPDES permit for total suspended solids.¹⁴ In addition to CWA violations, Koch Methanol has filed numerous incident reports for violating its air permits. Since June 2021, Koch Methanol has exceeded its ammonia limits in violation of its air permits at least six times.¹⁵ In September 2022, Koch Methanol also filed an incident report that the facility released an unreportable quantity of methanol into the air.¹⁶ Later in October 2022, Koch Methanol received a Warning Letter from Louisiana's Department of Environmental Quality indicating that an inspection report noted areas of concern regarding the company's air violations.¹⁷

3. The Council must consider the presence of homes near the site and the residential growth classification of the adjoining property.

In its application, Koch admits that there is residential property within .36 miles of the production center of its site. Application at 5. It provides no map or depiction of the residential property nearby. Indeed, there is a neighborhood on Barras Street to the southeast of the site. This is in an area zoned Residential Growth. Application at Figure 1.

The existence of this Residential Growth area immediately abutting the Koch Methanol site weighs against authorizing the expansion, as the Parish must consider "whether the environmental impacts may impair the ability of the parish to attract other beneficial development." § 82-25(h)(3). In this context, the beneficial development the Parish is seeking to

⁹ <https://www.goodjobsfirst.org/wp-content/uploads/docs/pdfs/otherregulators.pdf>, at 13.

¹⁰ EPA ECHO database

¹¹ EPA ECHO database

¹² <https://www.justice.gov/archive/opa/pr/2000/September/573enrd.htm>

¹³ https://echo.epa.gov/detailed-facility-report?fid=110070876398&ej_type=sup&ej_compare=US

¹⁴ https://echo.epa.gov/trends/loading-tool/reports/dmr-pollutant-loading?year=2022&permit_id=LAG535491

¹⁵ EDMS database

¹⁶ EDMS database

¹⁷ EDMS database

attract is residential development. Allowing a significant increase in harmful air emissions, a heightened risk of an accident that will release dangerous levels of pollutants, an additional pipeline that can rupture, and more rail traffic will impair the ability of the Parish to attract residents to this growth-designated area and may even make the quality of life of existing residents so unbearable as to force relocation.

4. The project has the potential to negatively impact unmarked burial sites of the persons enslaved in the area.

The Parish is obligated to consider “the physical . . . impacts of the proposed use.” § 82-25(h)(3). Koch Methanol’s cultural resources survey relied on a 9-year-old study done by the previous owner in August and September of 2014. Application at 3. That survey (not attached to the Application) does not appear to have assessed the potential existence of unmarked burial sites on the property, as Koch Methanol makes no mention of it. Given that this site is a known former plantation, it is highly likely that unmarked burial sites of people enslaved at the plantation exist on the site. The project’s potential to impact such sites are a “physical impact” requiring consideration by the Parish and must be addressed by Koch Methanol.

5. Koch Methanol’s “environmental justice analysis” conclusion that the project will not disproportionately impact any communities ignores the disproportionate impact its own data demonstrated and the fact that its project will add emissions to this burden.

Koch Methanol’s own environmental justice analysis submitted to LDEQ demonstrates that the residents surrounding its site already suffer a disproportionate risk of health impacts from industrial pollution. Exhibit 7 (excerpt from Koch Methanol air permit application). Koch Methanol’s suggestion that it will not add to this impact is entirely without support, and is contradicted by the fact that Koch Methanol’s expansion project will increase emissions of pollutants that are responsible for the disproportionate health impacts that already exist, such as cancer risks and respiratory hazards. *See* Exhibit 7. The Council must examine the EJSCREEN evidence of disproportionate health impacts and require Koch Methanol to address its increased emissions and their contribution to these health impacts.

6. Koch Methanol has not fully examined the danger of explosions, accidental releases, and the worst-case scenario.

a. Koch Methanol has not provided sufficient information to the Parish to assess the impacts of its project on the lack of effective emergency evacuation routes.

The Koch Methanol application contemplates that evacuations may be part of the facility’s safety response (i.e., “evacuate area” is a suggested measure in the event of a fire) but it did not address the details of its emergency evacuation procedures. Given the flammability and

extremely hazardous nature of the chemicals it will add and increase onsite, this is a critical omission. Koch Methanol's two-mile impact area radius crosses both River Road and Highway 3127, both evacuation routes. The Parish must consider "the physical and environmental impacts" of the proposed use. St. James Par. Code Ord. § 82-25(h)(3). An accidental release or explosion—caused by the facility itself, a weather event, or numerous other hazards—is an area the Parish should be most carefully addressing. The Parish has a known of serious issues with evacuation routes in this area for years—with the former Burton Lane evacuation area now closed off by industry—and has done nothing about it.¹⁸

Koch Methanol already allows rail cars to sit on the track for hours, blocking emergency egress from the area. How will it resolve this problem? How will it ensure the ability of nearby residents to evacuate in the event of an explosion or leak at the pipeline location? Is Koch Methanol even aware that nearby residents cannot access Highway 3127 when it rains heavily because the road that leads to it becomes impassable? Koch Methanol wants to expand, increasing the risk of accidental releases or explosion, without any accountability for ensuring that the people who would be affected by those accidents can escape. The Parish must demand more. As has been proven in the NuStar situation, where Burton Lane became inaccessible as an evacuation route because an industry fence was placed on the formerly-public road, when the Parish allows the situation to go uncorrected at the time it has direct control over it, it fails entirely to resolve one of its most important duties to its people.

b. Koch Methanol's application does not consider the potential effects of increasingly hot conditions on its methane systems.

Koch Methanol's application materials make no mention of the potential impacts of high air temperatures on its methane systems, especially on the pump stations that move gas through its pipeline networks. This summer, Louisiana experienced its hottest summer on record.¹⁹ Across the country, there have been myriad examples of dangerous pipeline conditions and increased emissions at methane facilities due to high outside temperatures.²⁰ Now, Koch Methanol proposes expanding its operations with little mention of how or whether Louisiana's changing climate would impact its pipeline infrastructure. This could create risks for St. James Parish residents that the Commission did not have an opportunity to properly consider because they were not discussed in Koch Methanol's application.

¹⁸ See https://www.theadvocate.com/acadiana/controversial-bayou-bridge-pipeline-proposal-to-come-before-st-james-parish-council-on-wednesday/article_6f30560a-7bb9-11e7-893c-4b622d116985.html

¹⁹ https://www.nola.com/news/environment/summer-from-hell-leaving-broken-records-across-louisiana-no-sign-of-cooler-temps-soon/article_65c35f0c-3622-11ee-83a4-6bfc71f975d6.html

²⁰ See, e.g. <https://www.texastribune.org/2023/07/19/texas-pipeline-heat-natural-gas-emissions-pollution-permian-basin/>

- c. *Koch Methanol has not adequately addressed the severity of a worst-case scenario.*

In addition to the potential evacuation issues that Koch Methanol has failed to examine, the company has also underrepresented the severity of a worst-case scenario in light of recent methanol explosions across the country. For example, in Daytona Beach, Florida, there was a fatal methanol tank explosion at a wastewater treatment plant which resulted in the death of two workers and critical injury of a third worker in 2006.²¹ More recently, an explosion occurred in Garland, Texas, when a chemical company was offloading methanol from a rail car.²² Notably, these explosions were incidental to wastewater treatment activities and chemical distribution. Neither of these situations reflect the potential severity of an explosion at a ***methanol production plant***, which could ignite a chain reaction of events and produce an even deadlier outcome.

D. Koch Methanol did not meaningfully engage with the impacted communities.

To fulfill its duties to its constituents in the surrounding environmental justice communities, the Parish must ensure that Koch Methanol has meaningfully engaged the residents before seeking a permit for its “optimization” project.²³ It did not do so. Although Koch Methanol submitted some evidence that it began to engage residents of the Parish, and of the Fifth District in particular, in 2022, it appears that these efforts dropped off when they were needed most—in the months preceding the submission of this zoning application.

Specifically, Koch Methanol asserts that it took the following actions to engage residents: holding a joint training with local emergency services personnel, conducting employee outreach through volunteer activities, participating in the St. James Citizens Advisory Panel, and hosting two focus group meetings, as well as a subsequent follow up meeting, and a Community Outreach Meeting. However, its application to the St. James Parish Planning Commission does not specify who was invited to these various meetings, when they took place, and whether they were about creating general goodwill for Koch Methanol in the community, or if they provided an opportunity for the community to engage specifically with the details of the “optimization” project.

²¹ https://www.csb.gov/assets/1/20/bethune_final_report.pdf?13742

²² https://response.epa.gov/site/site_profile.aspx?site_id=8303

²³ The EPA defines environmental justice as the “fair treatment and *meaningful involvement* of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.” [Plan EJ 2014 \(epa.gov\)](#) at 3 (emphasis added). To meet the requirements of meaningful involvement, EPA suggests that, “(1) potentially affected community members have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public’s contribution can influence the regulatory agency’s decision; (3) the concerns of all participants involved will be considered in the decision-making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected.” *Id.*

This does not amount to meaningful engagement, especially when Koch Methanol has been on notice that residents are concerned about the impact of its activities on their health and environment. Members of appellant groups RISE St. James, Inclusive Louisiana, and Mount Triumph Baptist Church regularly attend local Council and Planning Commission meetings. As residents of the 4th and 5th Districts, they have watched as their neighborhoods have been converted into industrial sacrifice zones. And at every turn, they have spoken out against this encroachment. Yet RISE St. James leadership is unaware of any Koch Methanol efforts to engage their members in the area. Indeed, these groups opposed the creation of this very facility in 2015 when Yuhuang Chemical Industries Inc. (“YCI”) Methanol first applied for land use approval.²⁴ But despite this vociferous advocacy, little has changed. Eight years later, Koch Methanol’s attempts to include concerned citizens in this new permit process appear to amount to little more than lip service.

E. Koch Methanol’s monitoring plan is inadequate.

In its parish application, Koch indicates that it has voluntarily agreed to install a fenceline monitoring system for total VOCs and methanol. Application at 2. There are three reasons why this monitoring would not provide any meaningful protection for St. James residents. First, nowhere does Koch Methanol indicate that its monitoring data will be made available to the public.²⁵ Secret monitoring data in the sole possession of Koch Methanol, with no requirements that it be publicly disseminated, even in an emergency release or accident situation, is useless—the fox guarding the henhouse.

Second, there is no legal limit (i.e., standard) for total VOCs in the outdoor air. Nor is there a health-based target level for total VOCs. Without any benchmark value for comparison, the VOC data generated by Koch Methanol will be meaningless. The reason that no benchmark value exists for VOCs is because VOCs represent a *class* of compounds, some of which are highly toxic and some of which are only mildly toxic. Although VOC data can be useful in other contexts (e.g. leak detection), such monitoring is not specific enough to identify harmful levels of air pollution.

The third reason why Koch’s fenceline monitoring will not protect St. James residents is because Louisiana’s legal limit (i.e. ambient air standard) for methanol is dangerously high and does not reflect current science. Methanol vapors are easily absorbed by the human body and

²⁴ Koch Methanol acquired a majority ownership stake in YCI in 2019. *See* ECF 26-1 at ¶ 416.

²⁵ Koch Methanol states, without any assurances or commitments, that it “anticipates that the LDEQ will include this voluntary commitment to install the fence line monitoring system as a requirement in the air permit.” Application at 2. Even if LDEQ does condition its permit on installation of this system, nothing about this requirement results in the monitoring data being made public. For that matter, there is no indication that even LDEQ will receive the fenceline monitoring data.

metabolized by the liver to formaldehyde, which is highly toxic.²⁶ The Louisiana limit for methanol is more than 50% higher than the corresponding California limit (i.e. 6,240 versus 4,000 $\mu\text{g}/\text{m}^3$; respectively); the latter is based on scientific evidence that repeated exposure to relatively low levels of methanol vapors can harm a developing fetus.²⁷ Further, Louisiana's limit is based on an 8 hour average, which is appropriate for the workplace, but not for residents who may be exposed 24 hours per day.

F. The pipeline project's location in wetlands prohibits its approval, and the Commission's decision on that aspect of the proposal is only a recommendation.

1. Koch Methanol's bald assertion that pipeline construction in Wetlands is "necessary" given the location of the existing pipeline is insufficient to demonstrate that this is the "unique situation" contemplated by the Ordinance.

Koch Methanol and the Commission do not set forth sufficient facts to prove that the proposed project is a "unique situation." According to the Land Use Plan, Wetlands should be shielded from all development. St. James Par. Code Ord. § 82-25(c) ("[W]etland areas should remain unoccupied."). The only exception to this general principle is when there is a "unique situation" "requiring a location in the water." *Id.* There are thus two conditions that must be met when considering whether a Wetland may be occupied: 1) a "unique situation" 2) requiring a location in water. Koch Methanol and the Commission have only addressed the second element of that phrase. They both claim that the project requires a location in water because the proposed pipeline connects to an existing pipeline already present in the Wetlands. But both entities are silent as to what makes the proposed project "unique." Moreover, by asserting that the proposed project is automatically "unique" based only on their conclusion that it is "necessary" for Koch Methanol to build in Wetlands, Koch Methanol and the Commission misinterpret "unique situation."

In fact, the proposed project does not amount to a "unique situation requiring a location in wetlands." First, the plain meaning of "unique" does not comport with how Koch Methanol and the Commission have interpreted it. "Unique" is defined as "being the only one"; "being without a like or equal"; "distinctively characteristic" (i.e., peculiar); and "able to be distinguished from all others of its class or type." Merriam-Webster's Dictionary. Koch Methanol's application and the Commission's approval do not reflect any analysis of the phrase "unique," let alone analysis that resembles the plain meaning of the term "unique."

Second, with respect to "requiring a location in water," Koch Methanol claims that extension from the existing Wetlands pipeline is "necessary," but does not provide any standard

²⁶ OEHHA 2008. Technical Supporting Document for Noncancer RELs, Appendix D2. Page 158. Available at <https://oehha.ca.gov/media/downloads/crn/appendixd2final.pdf>

²⁷ OEHHA 2012. <https://oehha.ca.gov/chemicals/methanol>

for determining what is “necessary.” Further, Koch Methanol makes no showing that the improvements it seeks to make to its facility cannot be accomplished through other designs, or whether there are other possible connection points with the existing pipeline or other pipelines that do not require overlap with Wetlands. Nor does Koch Methanol show any intention to mitigate the impact the project will have on Wetlands. To the contrary, Koch Methanol attempts to downplay its development by claiming that the “only” changes to its facility take place in Wetlands, as if this is a cursory point.

Finally, as a matter of policy, Koch Methanol’s and the Commission’s interpretation of a “unique situation requiring a location in the water” is arbitrary. Koch Methanol claims—and the Commission accepts—the premise that because Koch Methanol has existing pipelines in Wetlands areas, it is now entitled to extend its industrial facility further into Wetlands, where development is supposed to be prohibited, under the guise that it is now “required” to locate its operations in water. That part of a facility is already located in otherwise prohibited Wetlands is not a satisfactory reason for automatically allowing further degradation of Wetlands. Indeed, if this justification for a unique situation is allowed, there is seemingly no end to Koch Methanol’s and the Commission’s logic. Such an interpretation rewards facilities that make an initial encroachment by making it easier to cause further harm to the surrounding environment. The opposite should be true; facilities that develop in protected areas bear the risk that their facilities may not be further extended. The facility, not the public suffering the consequences, should bear that risk. As it stands, the prohibition of industrial operations in Wetlands also protects the public, because Wetlands do not provide a proper foundation for any operation that carries toxic and harmful chemicals.

2. The Commission does not have the discretion to allow the use in Wetlands.

The St. James Parish Code of Ordinances sets forth a land use plan for St. James Parish that delineates the allowable uses permitted in each section of the map. St. James Par. Code Ord. § 82-25(a)(1). The map divides St. James parish into categories of allowable uses to “control the general character and impacts of development.” § 82-25(c). “Uses not specifically listed as allowable in a use category in subsection (c) of this section are prohibited unless the planning commission considers the use in accordance with subsections (g), (h) and (i), *and* the parish council approves the use.” § 82-25(e) (emphasis added).

Here, Koch Methanol applied for a proposed project designed to expand its operations and increase its methanol production capacity. Application at 1. Most of the changes will occur on the production facility premises. *Id.* However, the project also involves construction of a pipeline and access road for the purpose of transporting ethane. *Id.* These construction projects will occur on designated Wetlands that are not zoned for Industrial use. *Id.* The Commission reviewed Koch Methanol’s application and unilaterally approved the project, concluding that it had the authority to approve the whole project in both Industrial and Wetlands areas without Council approval. July 31, 2023 Minutes at 1-2. The Commission reasoned that the pipeline connection was a “unique situation requiring a wetlands location because the existing ethane

pipeline to which the new connection will be made is already located in wetlands.” *Id.* Therefore, the Commission concluded, the Commission was authorized to approve the project. *Id.*

It is apparent from the allowable use categories stated in St. James Par. Code Ord. § 82-25(c) that Koch Methanol’s proposed project is an allowable use in—and *only* in—areas zoned as Industrial. Under the land use plan in St. James Parish, petrochemical operations; manufacturing, material processing and production; raw, spent and finished material storage; and other industrial uses are allowable in areas zoned as “Industrial.” § 82-25(c). Koch Methanol’s application states—and the Commission affirms—that the “majority” of Koch Methanol’s proposed project is located in an Industrial Use area. July 31, 2023 Agenda, at Item #23-25; *see also* Application at 1 (“The majority of the development will be constructed on land designated as Industrial, except for the land where the connection to the existing ethane pipeline and associated access road will be constructed, which is designated as Wetlands.”). But the project also involves construction of both a 1,000-foot ethane pipeline and an access road in Wetlands. Application, at 1. This type of construction is not specifically listed as an “allowable use” of Wetlands and is thus prohibited. *See* § 82-25(e) “Uses not specifically listed as allowable in a use category in subsection (c) of this section are prohibited.”).

Because construction of an ethane pipeline carrying hazardous materials and an access road are prohibited, § 82-25(e) requires that the Council approves any use otherwise prohibited under the land use plan. The Commission only had the authority to make a recommendation on this aspect of Koch Methanol’s application; it is not within the Commission’s discretion to decide whether or not the use should be allowed. Its decision to forego Council review as required under St. James Parish law was thus arbitrary and contrary to law.²⁸

G. The Commission did not adequately consider the public need for buffer zones.

The Commission’s decision to grant Land Use Authorization without conditioning the approval on a buffer zone was arbitrary in light of the environmental impacts and health risks posed by the increase in toxic emissions at the Koch Methanol facility. Article II, § 82-25(i)(2) of the St. James Parish Code of Ordinances imposes two affirmative duties on the Commission before it may approve a land use proposal for a use covered by subsection (e) or (f). First, the Commission is required to “affirmatively consider the public need for buffer zones in accordance with subsection (j) of this section.” § 82-25(i)(2). Subsection (j) provides that buffer zone requirements “shall be based on the nature of the use for which the buffer zone is established, and shall be based on commonly recognized. . . standards.” § 82-25(j). Second, the Commission must “condition its approval on the creation and maintenance of an appropriate buffer zone, or shall adopt a finding that such a buffer zone is not required.” § 82-25(i)(2).

The Commission’s analysis does not demonstrate that it fulfilled its obligation to consider the public need for a buffer zone before concluding that a buffer zone was not required for this

²⁸ Due to this error, this filing, characterized as an appeal, should also be considered a matter before the Council for decision in the first instance.

project because it did not address the significant toxicity of the project nor the new risks imposed by the ethane pipeline and access road construction. These are crucial factors in the public need analysis that are not addressed by the Commission. Rather, the Commission concluded that a buffer zone was not required because “the use is substantially contained within the footprint of the existing methanol plant; it is located within and adjacent to industrial areas; the risk analysis for the project indicates that the impacts of failure scenarios would be limited to the existing industrial site or immediately adjacent industrial facilities without impacting residential areas; it is distant from other potentially impacted uses; and its impacts during normal operations are limited.” These reasons are at best incomplete so as to be misleading and at worst incorrect.

- 1. The Commission’s conclusions omit important information about the facility and impacts of the proposed project, and thus failed to fully consider the public need for a buffer zone in violation of its duty under § 82-25(i)(2).***

The Commission’s claims that the use is “substantially contained within the footprint of the existing plant” and that the plant is “located within and adjacent to industrial areas” paint an incomplete picture of the proposed project. Although the actual construction itself may indeed be mostly within the footprint of the existing plant, the proposed “use”—that is, increased methanol production—is not “substantially” limited, nor are the effects of that use limited to the plant’s footprint. Indeed, a critical component of the proposed project is the construction of a 1,000-foot ethane pipeline and access road that will extend into zoned Wetlands. Koch Application, at 2. The plant is also not exclusively located within and adjacent to industrial areas, as the Commission’s language suggests. In fact, Koch concedes that its facility also contains land designated as Commercial/Residential Mixed, Residential Growth, and Wetlands. Koch Application, at 2.

- 2. The Commission’s conclusion that the plant is “distant from other potentially impacted uses” and that “its impacts during normal operations are limited” are unsupported and thus failed to fully consider the public need for a buffer zone in violation of its duty under § 82-25(i)(2).***

The plant is not, as the Commission suggests, “distant” from other potentially impacted uses nor are the impacts during normal operations “limited.” To the contrary, the plant is, in fact, adjacent to land designated as Commercial/Residential Mixed, Residential Growth, and Wetlands. Adjacent is, by definition, not “distant.” The Commission also failed to address the significant toxicity, increased health risks, and new risks posed by the ethane pipeline. Its conclusion, therefore, that its impacts during normal operations are limited is incorrect and underestimates the risks associated with the proposed project.

The first risk that the Commission failed to consider is the impact of construction on otherwise protected Wetlands. The condition of the Wetlands will necessarily be degraded by this project. Wetlands play a critical role in protecting coastal communities like St. James Parish from flooding. In a region that has been impacted by hurricanes, in a community prone to flooding even in normal rain conditions, the public need for a buffer zone is particularly important. The second risk the Commission failed to consider is the safety risk that could result

from the new pipeline. The scenarios presented by Koch did not consider the impact of an accident occurring in the new pipeline; a real possibility considering its construction in a wetlands environment and the nature of ethane itself, which is a highly flammable chemical. The public need to be protected from an ethane explosion stemming from this pipeline construction is an inquiry the Commission should have undertaken in its buffer zone analysis. Finally, the third risk the Commission failed to consider is the public health risks posed by increased emissions stemming from the project. The footprint of the emissions and the footprint of the plant itself is not the same; emissions have the potential to impact communities beyond the boundary of the pipeline itself. The public need to be protected from the health risks associated with air toxins is absent from the Commission's analysis of whether a buffer zone is warranted for this project.

The Commission's silence with regard to these risks – risks that have a direct relationship to the nature of the project and to the public need for a buffer zone – demonstrates that the Commission failed to live up to its duty to consider the public need for a buffer zone.

H. The Council should grant the appeal because no industrial land use should be approved until the illegal land use plan is rectified.

Finally, the St. James Parish Planning Commission and Council should not approve the expansion of any existing industrial facilities or new industrial projects under the Land Use Plan until the resolution of *Inclusive Louisiana et al. v. St. James Par. et. al.*, No. 2:23-cv-00987 (E.D.La. Mar. 21, 2023), a suit currently pending in the U.S. District Court for the Eastern District of Louisiana in which both the Parish Council and Planning Commission are named as Defendants. That case, brought by Residents, alleges pervasive and systemic racial discrimination in the St. James Parish land use system, including under the Land Use Plan. It asserts seven claims for violating Plaintiffs' rights, including claims under the Thirteenth and Fourteenth Amendments, 42 U.S.C. §1982, the Religious Land Use and Institutionalized Persons Act ("RLUIPA") and Article XII Sec. 4 of the Louisiana Constitution, which protects the preservation of cultural origins.

If Residents prevail in their federal case, the provisions of the Land Use Plan that direct industrial development to the majority Black 4th and 5th Districts will be invalidated as unlawful.²⁹ Because Koch Methanol seeks approval for its expansion plan in the very area that is contested in that suit, approval of this project constitutes an additional action under the unlawful Land Use Plan and would be a further violation of Residents' constitutional rights which could be invalidated by the federal court presiding over their case.

Indeed, the pattern of discriminatory conduct that supports Residents' claims in their federal case is repeated in this very land use decision. Here, Koch Methanol's expansion plan would contribute to massive pollutant increases for the surrounding 5th and 4th Districts, a historically and predominantly Black community whose health, homes and environment have

²⁹ ECF 26-1 at p. 149, ¶ (C).

already been put at great risk by industry and the Parish's land use decisions. For the reasons discussed in the foregoing sections, the Commission has approved this plan with little concern for the health and safety of the District's residents and has made no serious attempt to discern whether burial grounds or other religiously-significant sites would be impacted. This land use approval reflects a long-standing pattern in the Parish of conscious disregard for the disproportionate industrial impacts on Black residents, and is evidence of a system that willfully perpetuates discriminatory outcomes. This decision violates Residents' rights, most especially their rights to equal protection and bodily integrity under the Fourteenth Amendment, their right to be free from the badges and incidents of slavery under the Thirteenth Amendment, their right to preserve their cultural origins under the Louisiana Constitution, and potentially their rights under RLUIPA.

CONCLUSION AND REQUEST FOR STAY

The Residents request that the Council reverse the Commission's approval of the Koch Methanol St. James, LLC, land use application and deny the land use authorization. We also request that the Council stay the effect of the Koch Methanol land use approval until all legal challenges and appeals are exhausted.

Thank you for taking the time to consider this appeal. Please contact the Tulane Environmental Law Clinic by e-mail or phone if you have any questions.

Respectfully submitted on August 30, 2023,

/s/ Lisa Jordan

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SUPERVISING ATTORNEY’S INTRODUCTION OF STUDENT ATTORNEYS

Undersigned counsel respectfully introduces student attorneys Charlotte Phillips and Andrea Wright to this tribunal pursuant to Louisiana Supreme Court Rule XX. As the student attorneys’ supervising attorney, I approve of the student attorneys’ appearance in this matter on behalf of Ms. Beverly Alexander. I also attach Ms. Alexander’s written consent to appearances by student attorneys on her behalf (Exhibit A).

Respectfully submitted this 30th day of August, 2023 by:

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Table 1. Key health-related information for criteria pollutants that Koch Methanol proposes to emit in significantly higher quantities.

Pollutant	Current Permit Limit (tpy)	Proposed Permit Limit (tpy)	Distance from Koch Methanol to Nearest LDEQ Air Monitor	Disparity Factor¹	Health Effects from Chronic Exposures²
PM10	50.33	76.30	38 miles (Baton Rouge)	10.5	Respiratory disease, irritation of eyes, nose and throat
PM2.5	48.87	75.32	16 miles (Thibodaux)	19.7	Respiratory disease, lung cancer, heart disease, low birthweight
NOx	96.86	152.84	18 miles (Dutchtown)	7.4	Respiratory disease, irritation of eyes, nose and throat
CO	96.53	181.46	38 miles (Baton Rouge)	9.0	Possible heart disease, possible harm to developing fetus
VOCs	88.36	166.34	18 miles (Dutchtown)	12.9	Impacts depend on type of VOC

¹Disparity factor is the ratio of industrial emissions in Black versus White communities in Louisiana. For example, industrial operations in predominantly Black census tracts emit 9 times more carbon monoxide (CO) compared to industrial operations in predominantly White census tracts. See *Terrell and St. Julien, 2023. Discriminatory Outcomes of Industrial Air Permitting in Louisiana, United States. Environmental Challenges. Volume 10, 2023, 100672, ISSN 2667-0100, <https://doi.org/10.1016/j.envc.2022.100672>.*

²U.S. Centers for Disease Control. Particle Pollution. Available at https://www.cdc.gov/air/particulate_matter.html. See also Nitrogen Oxides. Available at <https://www.atsdr.cdc.gov/toxfaqs/tfacts175.pdf>. See also Toxicological Profile for Carbon Monoxide. Available at <https://www.atsdr.cdc.gov/toxprofiles/tp201.pdf>.

Table 2. Key health-related information for toxic pollutants that Koch Methanol proposes to emit.¹

Pollutant	EPA Toxicity Factor ²	<u>Permit Limit (tpy)</u>		<u>Toxicity Factor × Permit Limit</u>		Non-Cancer Health Effects from Chronic Exposures ³
		Current	Proposed	Current	Proposed	
1,4-Dichlorobenzene	3,900	0.01	0.01	39	39	Liver, skin, and central nervous system damage; possible liver & kidney cancer
2,2,4-Trimethylpentane	Not available	0.01	0.01	NA	NA	Unknown
Acetaldehyde	7,900	0.01	0.01	79	79	Respiratory disease
Ammonia	7	101.22	120.49	709	843	Respiratory disease
Arsenic	15,000,000	0	0.001	0	15,000	Lung cancer, brain and nerve damage
Barium	7,000	0	0.045	0	315	Respiratory disease, possible cardiovascular disease
Benzene	2,8000	0.05	0.06	1,400	1,680	Leukemia, blood disorders, reproductive harm
Cadmium	6,400,000	0	0.014	0	89,600	Kidney disease, possible lung cancer, possible birth defects
Chromium VI	43,000,000	0	0.015	0	645,000	Lung cancer, respiratory disease
Cobalt	17,000,000	0	0.01	0	170,000	Respiratory, heart, liver, kidney, & immune diseases
Copper	1,500	0	0.008	0	12	Respiratory disease
Ethyl benzene	890	<0.01	0.01	8.9	8.9	Respiratory disease, possible blood, liver, & kidney disease

Table 2 (continued). Key health-related information for toxic pollutants that Koch Methanol proposes to emit.¹

Pollutant	EPA Toxicity Factor ²	Permit Limit (tpy)		Toxicity Factor × Permit Limit		Non-Cancer Health Effects from Chronic Exposures ³
		Current	Proposed	Current	Proposed	
Formaldehyde	46,000	0.20	0.49	9,200	22,540	Respiratory disease, lung cancer, nasopharyngeal cancer
Hydrogen sulfide	1,800	9.13	9.13	16,434	16,434	Respiratory disease
Manganese	12,000	0	0.01	0	120	Respiratory disease, brain and nerve damage
Mercury	12,000	0	0.003	0	36	Brain damage, nerve damage
Methanol	0.18	67.50	140.72	12	25	Blurred vision, headaches, nausea, possible birth defects
Naphthalene	12,000	0.01	0.01	120	120	Eye damage, possible developmental harm, possible cancers
n-Hexane	5	4.70	11.32	24	57	Blurred vision, nerve damage, headaches
Nickel	930,000	0	0.021	0	19,530	Lung cancer, nasal cancer, respiratory disease
Sulfuric acid	3,500	0	0.04	0	140	Laryngeal cancer, respiratory disease
Toluene	0.7	0.02	0.04	0.01	0.03	Respiratory disease, brain and nerve disease, birth defects
Zinc	100	0	0.3	0	30	Possible respiratory disease, possible reproductive harm

¹Red text indicates the primary pollutants contributing to higher toxicity of Koch’s proposed emissions.

²Higher values indicate greater toxicity; EPA toxicity weightings obtained from <https://www.epa.gov/rsei/rsei-data-dictionary-chemical-data>.

³See <https://www.epa.gov/sites/default/files/2016-09/documents/1-4-dichlorobenzene.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/acetalddehyde.pdf>, https://iris.epa.gov/static/pdfs/0422_summary.pdf, <https://www.epa.gov/sites/default/files/2016-09/documents/arsenic-compounds.pdf>, https://iris.epa.gov/static/pdfs/0010_summary.pdf, <https://www.epa.gov/sites/default/files/2016-09/documents/benzene.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/cadmium-compounds.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/chromium-compounds.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/cobalt-compounds.pdf>, <https://nj.gov/health/eoh/rtkweb/documents/fs/0528.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/ethylbenzene.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/formaldehyde.pdf>, https://www.epa.gov/sites/default/files/2017-12/documents/appendix_e-atsdr_h2s_factsheet.pdf, <https://www.epa.gov/sites/default/files/2016-10/documents/manganese.pdf>, https://www.epa.gov/system/files/documents/2021-12/mercury-compounds_12-3-2021_final.pdf, <https://www.epa.gov/sites/default/files/2016-09/documents/methanol.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/naphthalene.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/hexane.pdf>, <https://www.epa.gov/sites/default/files/2016-09/documents/nickle-compounds.pdf>, <https://nj.gov/health/eoh/rtkweb/documents/fs/1761.pdf>, <https://nj.gov/health/eoh/rtkweb/documents/fs/2037.pdf>.

Table 3. Information related to Industrial Tax Exemptions Obtained by Koch Methanol St. James LLC or KMe St. James Holdings LLC¹

Project Id	Project Name	Application Received Date	Contract Effective Date	Contract Expiration Date	Existing Payroll	Existing Jobs	Estimated New Payroll	Ad Valorem (Tax Relief) - Estimated First Year Exemption	Estimated New Jobs
20141117-ITE	Louisiana Methanol Project - Front End project	10/30/2015	12/31/2021	12/31/2026	\$0.00	0	\$189,800,000.00	\$12,912,000.00	200
20141117-A-ITE	Louisiana Methanol Project - Front End project	6/29/2018	12/31/2017	12/31/2022	\$0.00	0	\$1,275,000.00	\$352,362.14	15
20141117-B-ITE	Louisiana Methanol Project - Front End project	4/14/2020	12/31/2019	12/31/2024	\$1,000,000.00	20	\$1,600,000.00	\$459,525.28	32
20141117-C-ITE	Louisiana Methanol Project - Front End project	4/19/2021	12/31/2020	12/31/2025	\$5,200,000.00	52	\$2,900,000.00	\$1,539,518.43	29
20161508-ITE	Methanol Plant	4/25/2023	12/31/2022	12/31/2027	\$9,148,050.00	81	\$0.00	\$519,406.52	0
20230224-ITE	Plant Debottleneck and Sustainability Project	6/26/2023	12/31/2027	12/31/2032	\$16,460,000.00	114	\$150,000.00	\$741,596.40	2

¹Obtained from the Louisiana Department of Economic Development, available at <https://fastlaneng.louisianaeconomicdevelopment.com/public/reports>.