

BP allowed to dump mercury into Lake Michigan

By Michael Hawthorne | Tribune staff reporter July 27, 2007 Although the federal government ordered states more than a decade ago to dramatically limit mercury discharges into the Great Lakes, the BP refinery in northwest Indiana will be allowed to continue pouring small amounts of the toxic metal into Lake Michigan for at least another five years.

A little-noticed exemption in BP's controversial new state water permit gives the oil company until 2012 to meet strict federal limits on mercury discharges. In documents, Indiana regulators predict the refinery won't be able to comply and will ask to continue polluting after that date.

Federal records analyzed by the Tribune show BP puts 2 pounds of mercury into the lake every year from its sprawling plant 3 miles southeast of Chicago in Whiting, Ind. That amount is small compared with the mercury that falls into the water from air pollution, but mercury builds up in the environment and is so toxic that even tiny drops can threaten fish and people. The BP refinery and a power plant in nearby Chesterton, Ind., are the only two industrial polluters that still dump mercury directly into Lake Michigan, federal records show. Under standards adopted by the U.S. Environmental Protection Agency in 1995, BP's annual discharge of the metal should be reduced to 8/100th of a pound.

BP already is drawing fierce opposition to its plans to dump significantly more ammonia and suspended solids into Lake Michigan. Although the amounts are still below federal water quality guidelines, BP's new permit marks the first time in years that a company has been allowed to increase the amount of pollution pumped into the lake, a magnet for sport fishing and the source of drinking water for Chicago and scores of other communities.

"With one permit, this company and this state are undoing years of work to keep pollution out of our Great Lakes," said U.S. Rep. Rahm Emanuel (D-Ill.), co-sponsor of a resolution overwhelmingly approved by the House this week that condemned BP's plans. "Nothing surprises me at this point about what Indiana is allowing them to do."

Company officials and Indiana regulators contend the refinery's wastewater poses no threat to people or aquatic life. They also say they did everything they could to keep more pollution out of the lake.

In an e-mail response to questions, BP said Thursday that it doubts any industrial polluter or municipal sewage treatment plant can meet the stringent federal limit of 1.3 parts mercury per trillion parts water for discharges into the Great Lakes. The company said some of its mercury discharge likely comes from storm runoff and lake water drawn into the refinery.

"BP will work with [Indiana regulators] to minimize mercury in its discharge, including implementation of source controls," the company said in its response.

Other exemptions given

Peter Swenson, chief of the water permits section at the EPA's regional office in Chicago, said some Great Lakes polluters have been granted exemptions to the mercury limits when they renew their permits. But others have been forced to comply immediately, he said, noting that emerging technology can remove the metal from waste water.

A Tribune review of federal records shows that the waste water the BP refinery pumps into Lake Michigan includes more than a dozen toxic byproducts of oil refining, including benzene, toluene and suspended solids containing mercury, lead, nickel and vanadium.

The refinery is the top industrial source of lead, nickel and ammonia pollution directly released into the lake, according to the EPA's Toxics Release Inventory. It also is one of only two industrial polluters on the lake that dump acetonitrile, a chemical that metabolizes in the environment to cyanide.

If BP were to meet the federal mercury standard for the Great Lakes, it would take the refinery 25 years to put the same amount of the toxic metal into Lake Michigan that it does now in one year.

BP sought a new water permit to accommodate an expansion project that will enable the refinery to process more heavy Canadian crude oil, which is considered a more dependable source than supplies in the Middle East.

When Indiana regulators last month allowed the company to increase its pollution, they justified the move in part by noting the project will create 80 new jobs.

Little effect cited

The "waste-water permit for BP's Whiting refinery fully complies with the federal Clean Water Act and assures the full protection of Lake Michigan," Thomas Easterly, commissioner of the Indiana Department of Environmental Management, said in a prepared statement. "The permitted levels will not affect drinking water, recreation or aquatic life."

In documents filed with the permit, though, the agency noted that levels of mercury and lead detected in the refinery's waste water "show a reasonable potential" to violate water quality standards.

Mercury concerns environmental regulators because of its staying power in the environment. The metal accumulates as it moves up the food chain from bacteria to fish to people.

All of the states on the Great Lakes advise people to limit eating certain types of fish because of high levels of mercury contamination. Consuming even small amounts of mercury can damage the developing brain and nervous system of infants and young children.

Prodded by Congress, the EPA moved during the 1990s to virtually eliminate direct mercury discharges into the lakes. "The risks posed to human health and to the Great Lakes themselves by these toxic pollutants are simply too high to ignore," then-EPA Administrator Carol Browner said in 1999.

Air pollution remains the greatest source of manmade mercury in the lakes. A recent federal study estimated that 880 pounds of the metal drop into Lake Michigan every year, mostly from the smokestacks of coal-fired power plants along and near the shore.

Mercury discharged directly into the lake by BP's refinery is a mere fraction of that amount. But a growing chorus of critics, including Mayor Richard Daley, Gov. Rod Blagojevich and members of Congress, argue that BP's new state permit sets a bad precedent that threatens to reverse more than three decades of slow but steady progress cleaning up the lake.

"We determined a long time ago that Lake Michigan is a very special resource that deserves added protection," said Dale Bryson, president of the Alliance for the Great Lakes and former chief of the EPA's regional water office. "This isn't harmless stuff. By now they should have figured out what to do about it."

About the Author

Source: <http://www.crinnionmedical.com>