

State environmental officials have started to move more aggressively to protect Louisiana's underground water supply. But the safety of that priceless resource still relies in large part on the attitudes and practices of those in the chemical industry.

Under a new and controversial state policy, plants that want to expand cannot do so until they check the expansion site for chemical contamination of soil and water. The policy has sparked a few companies to go even further and investigate possible groundwater contamination across their entire sites.

But many plant managers objected to DEQ's decision to issue the policy on its own, rather than going through the much longer process of getting legislative approval for a new regulation. DEQ officials said the matter could not wait for the time-consuming process of proposing a regulation, awaiting public comment and seeking legislative approval.

"If we had waited six months, we'd have had another half-dozen expansions over contaminated sites," DEQ Secretary Paul Templet said. "I shouldn't have to tell them not to build over contaminated sites. But I did have to."

The new rule grew out of an incident at BASF Chemicals in Geismar, in which state officials discovered the company had constructed a new unit on a site with groundwater contamination.

DEQ officials said they feared companies would build intentionally over contaminated sites; then when DEQ ordered a cleanup, a company could claim it would cost too much money to dismantle equipment to undertake the cleanup.

BASF late last year sued DEQ, challenging its authority to order a cleanup, even though the agency has not issued such an order. BASF contends that even if the agency does have the authority to order a cleanup, the state would have to pay BASF the \$12 million cost of dismantling the new unit first.

The BASF reaction did not surprise state officials. Companies are fearful of groundwater cleanups because they are usually difficult and costly.

"The rule is that if you want to protect groundwater, don't contaminate it in the first place, because cleaning it up is very expensive, and never 100 percent effective," said Brad Hanson, a geologist with the Louisiana Geological Survey, a state agency.

The BASF case is pending, but other companies have not been so resistant to the idea of checking a possible construction site for problems.

"We don't have a problem with this policy," said Stan Cole, environmental manager at Dow Chemical in Plaquemine. "It just makes sense."

Dow, which is battling extensive contamination of soil and groundwater at different locations at the huge Plaquemine complex, has gone much further than state requirements in investigating groundwater problems.

Dow has launched a sitewide investigation to look for new areas of contaminated soil or groundwater, an expensive proposition on a 1,400-acre site that makes 40 chemical products.

Dow is also spending \$25 million to upgrade its storage tanks by installing double bottoms and equipment designed to detect leaks.

Under federal law, tanks holding hazardous waste must have two steel bottoms - one to contain the product and a second one to capture any leaks - as well as leak-detection equipment.

But tanks that store products and feedstocks - which make up the majority of storage tanks at chemical plants - are exempt from those stringent standards, even though they often contain chemicals at least as dangerous as hazardous waste. Major groundwater contamination has been discovered beneath product storage tanks at Dow and other chemical plants.

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Illustration:

State geologist Brad Hanson has researched the ability of Louisiana soils to prevent groundwater contamination. [COLOR]

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