

## **SUBSTITUTE RESOLUTION**

**NO. R-21-92**

**CITY HALL: April 8, 2021**

**BY: COUNCILMEMBERS GISLESON PALMER AND NGUYEN**

**WHEREAS**, FG LA LLC (FG), a Formosa Plastics affiliate, announced plans in 2018 to build The Sunshine Project, a \$9.4 billion petrochemical complex in St. James Parish comprising of 14 major facilities, becoming one of the largest plastics plants in the world; and

**WHEREAS**, the petrochemical complex will discharge into the Mississippi River, our main drinking source, and into St. James Canal, which flows directly into Lac des Allemands, a major source of catfish, crab, shrimp, and other seafood in New Orleans and across the state; and

**WHEREAS**, according to the U.S. Environmental Protection Agency, pollution from petrochemical plants may threaten the health of waterways such as the Mississippi River and waterways in the Greater New Orleans area; and

**WHEREAS**, recent incidents such as the CMA Bianca spilled nearly a billion plastic pellets, also known as nurdles, into the Mississippi River in 2020; classified as a non-hazardous material, the Louisiana Department of Environmental Quality fails to have a systematic plan to regulate or clean up nurdles released into the Mississippi River from existing facilities; and

**WHEREAS**, the Louisiana Department of Environmental Quality reports that, at most, 80 of the 800 sacks of nurdles released from the CMA Bianca Spill into the Mississippi River have been recovered in cleanup efforts by New Orleans residents and volunteers, with over 500 million pellets still unaccounted for, which continue to wash ashore in Orleans, St. Bernard, and Plaquemines Parishes; and

**WHEREAS**, these nurdles and other run-off pollution may be consumed by our wildlife, and have the potential to sicken and kill the seafood we rely on for our culture and our economy. Although this spill was not caused by FG, it provides a clear example that activities upriver affect New Orleans directly; and

**WHEREAS**, expanding plastics production, without preventing plastics pollution, threatens the prosperity of our seafood industry, which is essential to the vitality and success of New Orleans' and Louisiana's food culture and the tourism we rely on; and

**WHEREAS**, the overall safety of our waterways is a concern of all residents, culminating in the Army of Engineers Corps to suspend FG’s permit for potential defects in its Clean Water Act alternatives analysis; according to the Corps, they “may reevaluate other aspects of the permit decision as it deems appropriate.”; and

**WHEREAS**, a Formosa Plastics plant located in Point Comfort, Texas, for example, violated the Clean Water Act and the Clean Air Act in 2019, resulting in the largest Clean Water Act citizen suit settlement in U.S. history; and

**WHEREAS**, FG would emit a maximum of 13.6 million tons of greenhouse gases yearly, the equivalent of what three and a half coal fired power plants emit annually, adding to the existing emissions in our city and state; and

**WHEREAS**, the petrochemical complex will be built in an area referred to as Cancer Alley; this strip of over 150 petrochemical plants has been recognized by President Biden for disproportionately threatening the health of people of color throughout the River Parishes and condemned by United Nations human rights experts for environmental racism; and

**WHEREAS**, it is the responsibility of all New Orleanians to prioritize the health of our citizens as well as stand in solidarity with the residents of Cancer Alley. It is also essential to protect and preserve the culture, wildlife, and natural resources of our state, such that approximately twenty New Orleans businesses and thousands of Orleans Parish residents and supporters have signed a petition calling on the New Orleans City Council to address FG’s potential impacts; and

**WHEREAS**, this body is committed to assuring local, state, and federal action to prevent, reduce and remove plastic waste from entering rivers, oceans, landscapes and landfills in the Greater New Orleans region; **NOW THEREFORE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That the Council supports international action to address disproportionate health outcomes in communities of color and hereby take action to preserve our local environment and economy by opposing the construction of The Sunshine Project, and any petrochemical plant that significantly adds to the existing toxic emissions in Cancer Alley; and

**BE IT FURTHER RESOLVED**, That the City Council urges existing and proposed industrial and petrochemical plants to review the findings of the independent scientific organizations and subsequent relevant science to compare those findings with their own stated corporate social responsibility policies and take lifesaving measures towards reducing toxic emissions and stronger steps to clean up current contamination, including the CMA Bianca nurdle spill; and

**BE IT FURTHER RESOLVED**, That the City Council calls on the Federal and State Government to establish explicit guidelines for cross jurisdictional clean-up efforts in the event of future nurdle spills or other contamination of our waterways; and

**BE IT FURTHER RESOLVED,** That a certified copy of this resolution be sent by the Clerk of Council to Governor John Bel Edwards, Chuck Carr Brown, Ph.D., Secretary of the Louisiana Department of Environmental Quality, Brandy D. Christian, President and CEO of the Port of New Orleans, Captain Will Watson, New Orleans Sector Commander of the U.S. Coast Guard, David W. Gray, Regional Administrator, Region Six, United States Environmental Protection Agency, and Colonel Stephen Murphy, Commander and District Engineer, New Orleans District, United States Army Corps of Engineers.

**THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE RESOLUTION WAS ADOPTED.**