

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy

[August 21, 2020](#)

Invasion of the Nurdles!

Incoming [Pokemon](#)? Sadly, no. Another off-putting Peter Jackson puppet [movie](#)? Nope. Millions of little plastic pellets in the Mississippi River floating down to the Gulf of Mexico, accumulating pollutants and toxins, getting ingested by little critters that take in those toxins and then pass those toxins up the food chain in ever growing concentrations in a situation reminiscent of some latter-day M. Night Shyamalan horror flick? Alas, yes, that's the nurdles we're talking about.

An important stop in plastic's journey from decaying plants hundreds of millions years ago to a pair of form flattering yoga pants is the nurdle. The little lumps of plastic are the feedstock for plastic-made products, and those lumps add up fast so that if, say, a cargo container should spill into the water, it would be nearly impossible to clean up.

That's [the situation currently on the lower Mississippi River](#) where the EPA has said "not our problem," the state of Louisiana has said, "we don't know whose problem it is," the Coast Guard has said "we're looking into it," and the French operator of the ship where spill originated has said *rien*! Meanwhile, at least [these kind souls](#) are doing something.

Part of the confusion around the response (or lack thereof) has been because these nurdles aren't considered a hazardous substance under the Clean Water Act (though knowingly [discharging them into waters](#) does violate a Clean Water Act permit).

What makes that extra fun/depressing/indicative-of-the-hellscape-that-is-2020 it that a good friend of the Institute, Anne Rofles from Louisiana Bucket Brigade, is currently facing the charge of "terrorizing" after she and a co-worker left a box full of nurdles that washed ashore in Texas on the doorstep of a lobbyist in Baton Rouge. An individual putting box of nurdles on a doorstep is a felony. A massive ship million nurdles into the river is an oopsie.

How Much Nutrient Pollution is Too Much Nutrient Pollution When Nutrient Pollution Pollutes Lakes With Too Many Nutrients?

The EPA has been thinking about doing, uh, something about nutrient pollution. Most recently, they have been thinking about setting numerical standards for the acceptable amount of nutrient pollution in lakes and reservoirs (reservoirs: the [non-dairy creamer](#) of lakes!). Well, the public comment period about that standard has now closed. Surely only good things will come from here! You all remembered to submit your comments, right? Well, [we submitted ours](#)! Special thanks go to summer researcher Caira Heneghan for doing so much of the heavy lifting!

The **Tulane Institute on Water Resources Law and Policy** is a program of the Tulane University Law School.

The Institute is dedicated to fostering a greater appreciation and understanding of the vital role that water plays in our society and of the importance of the legal and policy framework that shapes the uses and less stewardship of water.

Coming up:

[Webinar: Wildfires and Resulting Impacts to Water Bodies Used as Drinking Water Sources](#); August 26

EPA's Drinking Water Virtual Workshop: [Pre-Workshop In-Depth Training](#) (August 31) and [Workshop](#) (September 1-3)

[Water Budgeting Webinar](#); September 2

[Public Comment Deadline on Lake Powell Pipeline Project Draft Environmental Impact Statement](#); September 8

[Virtual ResCon](#); September 8-10

[Gulf Spill Restoration—Louisiana Area Annual Public Meeting Webinar](#); September 9

[Hot Topics in Clean Water Law Webinar](#); September 16

[AWWA Webinar: Smart Water 2020: Building a Resilient Water Future](#); September 20

Water jobs:

[Counsel \(Environmental and International Law Practice Group \(LEGEN\)\)](#); The World Bank; Washington, DC.

[Legislative Associate/ Senior Legislative Associate](#); The Southern Environmental Law Center; DC.

[Staff Attorney, Fossil Fuels Program](#); Earthjustice; New Orleans, LA or Texas.

[Policy Manager \(Environment, Energy, and Climate Change\)](#); Massachusetts Institute of Technology; Cambridge, MA

[Policy Specialist \(Resilient Coasts & Floodplains\)](#); NWF; D.C.

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Louisiana Now Has a Climate Task Force! Like a bunch of [Air Force Ones](#)... but for Climate!

Maybe the tide is turning on this whole climate change thing. Despite Louisiana's [long and intertwined history](#) with carbon based industry, our Governor this week finalized the creation of a task [force](#) charged with the job of making recommendations for how the state can reach carbon neutrality by 2050 – a goal in line with the Paris Climate Accords. The [force](#) was announced in the pre-pandemic days, but this week the governor signed the order that made it official. The [force](#) turns out to try to cover all the bases and has nearly two dozen members, with representatives from various agencies, both houses of the legislature, a couple of petrochemical lobbyists, and a few other corners. We're fans of new Chief Resilience Officer Charles Sutcliffe, but taking this bunch from a focus group to a [force](#) is going to be a tall order. [Force!](#)