

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL SERVICES
PERMITS DIVISION

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VANGUARD SYNFUELS, L.L.C./ *
VANGUARD BIODIESEL PLANT *
*
GRANT PARISH, LOUISIANA *
*
PERMIT NO. LA0047546 *
*
Agency Interest No. 3133 *
*
Activity Tracking No.PER20050003*
* * * * *

PUBLIC HEARING ON FINAL
LOUISIANA POLLUTANT
DISCHARGE ELIMINATION SYSTEM (LPDES) PERMIT

for Pursuant to Notice, the above-entitled matter came on
Public Hearing on January 15, 2008 at 6:00 p.m. at the
Pollock Community Unity Center, 3814 Patterson Street,
Pollock, Grant Parish, Louisiana, before Allen
Kirkpatrick,
Hearing Officer. Reported by Debra S. Brooks.

1 P-R-O-C-E-E-D-I-N-G-S

2 HEARING OFFICER:

3 I just want to let y'all know that, please, if
you
4 have any cellular phones either turn them off or take
them
5 and put them in your car, because it messes with the
court
6 reporter's equipment and it won't properly record
because it
7 emits a constant signal. Good evening, let the record
8 reflect that the time is 6:03 p.m. My name is Allen
9 Kirkpatrick. I'm employed with the Louisiana Department
of
10 Environmental Quality. I will be serving as Hearing
Officer
11 this evening, Tuesday, January 15, 2008. This hearing
is
12 scheduled to accept public comments concerning the Final
13 Louisiana Pollutant Discharge Elimination System,
(LPDES)
14 Permit for Vanguard SynFuels, L.L.C./Vanguard Biodiesel
15 Plant, Pollock, Louisiana. Agency Interest Number 3133,
16 Permit Number LA0047546 and Tracking Number PER20050003.
The
17 site is located at 737 Abe Hall Road, Pollack, Grant
Parish,
18 Louisiana.
19 The principal discharge from this existing
source
20 is made into Little River, thence into Catahoula Lake
21 (Outfalls 001, 101, and 005), Big Creek via local
drainage

22 (Outfalls 002, 004, and 005), and Mill Creek via local
23 drainage, thence into Little River (Outfalls 003 and
005).
24 Under SIC Code 2075, the applicant proposes to discharge
25 boiler blowdown, cooling tower blowdown, vacuum pump
seal

1 water, methanol recovery system water and air compressor
2 condensate, laboratory wastewater, treated sanitary
3 wastewater, utility and general maintenance water, plant
4 washdown, safety showers, process and non-process area
storm
5 water, demineralizer regeneration stream, and
hydrostatic
6 test wastewater from an existing biodiesel manufacturing
7 facility.

8 During the preparation of this permit, it was
9 determined that this discharge will have no adverse
impact on
10 the existing uses of the receiving water body. As with
any
11 discharge, however, some change in existing water
quality may
12 occur.

13 This hearing is not being conducted in a
question
14 and answer format. Please remember that the purpose of
this
15 public hearing is for DEQ to receive your comments
concerning
16 the Final Louisiana Pollutant Discharge Elimination
System
17 Permit (LPDES).

18 This hearing is to provide all individuals a
chance
19 to be heard regardless of their position on this Final
20 Louisiana Pollutant Discharge Elimination System Permit.

21 Courteous behavior is expected of everyone at
all
22 times. You may speak in support of the permit, in

opposition

23 to the permit, or simply to provide additional
information.

24 All interested parties will be given a reasonable
opportunity

25 to comment, unless testimony is not related to the
purpose of

1 this hearing. Your comments will be evaluated and
addressed 2 in the Department's written response.

3 A public notice advertising this public
hearing 4 regarding the Final Louisiana Pollutant Discharge
Elimination 5 System Permit was published in "The Advocate," Baton
Rouge; 6 the "Chronicle," Colfax, Louisiana newspapers on
December 13, 7 2007. A copy of the application, draft permit, final
permit, 8 and statement of basis associated with the Final
Louisiana 9 Pollutant Discharge Elimination System permit is
available 10 for inspection and review at the LDEQ Public Records
Center, 11 Room 127, 602 North 5th Street, Baton Rouge, Louisiana.
12 Viewing hours are 8:00 a.m. to 4:30 p.m., Monday through
13 Friday, except holidays. The available information can
also 14 be accessed electronically on the Electronic Document
15 Managing System on the LDEQ public website at
16 www.deq.louisiana.gov. Additional copies are also
available 17 for review at the Grant Parish Library, Pollock Branch,
18 located at 1316 Pine Street, Pollock, Louisiana 71467.
In 19 addition, copies of the public notice were mailed to
20 individuals who have requested to be placed on the
mailing 21 list maintained by the Office of Environmental Services

on

22 December 11, 2007.

this

23 All information and comments presented during

24 hearing on the final permit shall be retained by the

regarding

25 Department and is considered in the final decision

1 the permit action.

2 Under Louisiana Revised Statutes 30:2017, as
3 revised by the legislature in the 2004 session, the
4 Department is required to follow the following order
with
5 provision that the Presiding Officer may give preference
to a
6 public official to speak at any time during the hearing.
7 However, any time limits set for citizen testimony shall
8 apply to public officials. The Department is required
to
9 provide up to 30 minutes to the facility represented for
an
10 introductory presentation. Thereafter, preference for
11 speaking up to one hour is given as follows: For the
first
12 hour, those citizens who live within a two-mile radius
of the
13 location of the facility; for the second hour, those
citizens
14 who work within a two-mile radius of the location of the
15 facility; and third, for those citizens who live within
the
16 parish of the location of the facility.

17 Thereafter, each hour of the hearing shall
18 alternate between those who support the permit action
and
19 those who are opposed to the permit action. The order
of the
20 speakers tonight for tonight's hearing will be based on
the
21 information provided by the speaker on the registration
form.

22 Anyone who registered to speak, but did not provide the
23 necessary information, will be given the opportunity to
24 speak; however, they will be called last in order of
25 registration.

1 This hearing is being transcribed, therefore I
2 would ask each speaker to begin by stating, for the
Record,
3 their name, address, and any organization he or she may
4 represent. I also remind you to turn off all of your
cell
5 phones. I would also like to note for the Record that
6 according to information provided to me by the Louisiana
7 Department of Environmental Quality Permit Section, the
8 Honorable Judge Kay Bates of the 19th Judicial District
9 Court, Parish of East Baton Rouge, has ordered in a
lawsuit
10 captioned Ernie L. Vallery versus Louisiana Department
of
11 Environmental Quality, et al, Suit No. 551238, Section
26,
12 that Mr. Vallery be allowed to submit all of his
comments on
13 the record. And since that is a specific order by the
court,
14 Mr. Vallery, you will go last. Now, if anybody else has
any
15 comments after Mr. Vallery speaks, you may have the
16 opportunity to speak, as well.

17 At this time, I would like the facility
18 representatives to come forward and make their
introductory
19 presentation. That would be Mr. Dubroc.

20 MR. ERNIE VALLERY:

21 The order that you read from Judge Bates, Your
22 Honor, I don't think that's an accurate reflection of
what

23 Judge Bates said in the order.

24 HEARING OFFICER:

25 Well, I wasn't privy to the --

1 MR. ERNIE VALLERY:

2 I know she --

3 HEARING OFFICER:

4 -- order. All I was -- That's why I prefaced
that
5 by saying, "according to the information provided to
me".

6 And you'll be allowed to speak. The permit section
wanted it
7 noted in the record that the Judge ordered that you
8 specifically be able to make your comments.

9 MR. ERNIE VALLERY:

10 Your Honor, I think what she said was --

11 HEARING OFFICER:

12 Well, I --

13 MR. ERNIE VALLERY:

14 And Ms. Jordan was there -- the attorneys were
15 there. The attorneys for Louisiana Department of
16 Environmental Quality were instructed to tell you that.

And
17 what they were instructed to tell is that there -- that
this
18 hearing was to be conducted with leniency about what was
19 allowed to be said and the comments to be made.

Specifically

20 about --

21 HEARING OFFICER:

22 Exactly.

23 MR. ERNIE VALLERY:

24 Specifically about the final permit of --
about the

plant is 25 final permit. Because there are concerns that this

7

there.

1 not making what they -- what their application says in

2 HEARING OFFICER:

3 All right now. Let me just --

4 MR. ERNIE VALLERY:

5 The Judge said --

6 HEARING OFFICER:

7 You're jumping -- Mr. Vallery, you're jumping
8 ahead. You're jumping ahead. You'll have an
opportunity to

9 speak. You can say anything about the permit you like,
as

10 long as it is pertinent and you'll be afforded the
11 opportunity to speak.

12 MR. ERNIE VALLERY:

13 Thank you, Honor. The only --

14 HEARING OFFICER:

15 Oh, no problem.

16 MR. ERNIE VALLERY:

17 The only clarification is this --

18 HEARING OFFICER:

19 Well, I mean, I don't --

20 MR. ERNIE VALLERY:

21 -- it applies to everyone. Everyone that --
It

22 didn't just apply to me, it applied to --

23 HEARING OFFICER:

24 Well, it applies to --

25 MR. ERNIE VALLERY:

1 -- everyone who wants to speak.

2 HEARING OFFICER:

3 Of course, it does. That's why we're having--
4 that's why we're having a hearing, because everybody can
5 speak either for, against, whatever. That's what a
public
6 hearing is for. But we wanted it specifically on the
record
7 that you requested in your suit and Judge Bates ordered
that.
8 So, there you go.

9 MR. ERNIE VALLERY:

10 Okay, thank you.

11 HEARING OFFICER:

12 Other than that --

13 UNIDENTIFIED SPEAKER:

14 I object. That's not --

15 HEARING OFFICER:

16 -- there's really no -- Well, this isn't a
question
17 and answer session, sir, but go ahead.

18 UNIDENTIFIED SPEAKER:

19 Why is he to speak last?

20 HEARING OFFICER:

21 Because I figured since Judge -- It's a bit of
22 something different, because Judge Bates ordered it.
23 Normally, if I wouldn't have been asked to do so, he
would
24 have gone -- Mr. Vallery would have gone in order, like
25 everybody else. But since I believe he has -- because

the

9

let
they
feel
1 Department thinks he has more to say than others, we'll
2 him go last. However, if anybody has any follow-up that
3 want to add after Mr. Vallery has his chance to speak,
4 free to come up and speak again.

5 COURT REPORTER:

the
6 Excuse me, sir. I need your name, sir, for
7 Record.

8 UNIDENTIFIED SPEAKER:

9 My name?

10 COURT REPORTER:

11 Yes.

12 MR. GEORGE DAVIDSON:

13 George Davidson.

14 COURT REPORTER:

15 If we can remind them that if they're going to
16 speak they --

17 HEARING OFFICER:

isn't
receive
I'm
20 If you're going to speak -- Like I said, this
19 a question and answer session, it's just for us to
20 your comments, but you do need to identify yourself.

proceed?
21 sorry, Mr. Davidson. Mr. Dubroc, are you ready to

22 MR. DARRELL DUBROC:

23 Yes, sir.

24

HEARING OFFICER:

25
podium, if

Feel free, you can avail yourself of the

10

1 you like. Would you like this marked as an exhibit?

2 MR. DUBROC:

Dubroc,

3 Yes, please. Good evening, I'm Darrell

Pollock,

4 President and CEO of Vanguard SynFuels, L.L.C. in

Louisiana.

5 Louisiana. Address is 737 Abe Hall Road, Pollock,

whether you

6 I want to thank everybody for coming out tonight,

you

7 support Vanguard or the permit application here, whether

what

8 oppose it or whether you're a concerned citizen about

your

9 we're doing there. I appreciate you taking time out of

With

10 busy schedule to be here and be concerned about this.

me

11 tonight, joining me in the presentation, is Ms. Penny

and

12 Welch. Penny is Superintendent of Environmental Safety

position at

13 Lab at Vanguard SynFuels. She also held the team

Farmland.

14 Farmland for many years, about 18 or 19 years with

discussion

15 Also joining me tonight in the presentation and

assisting

16 are two gentlemen with URS Environmental, Mr. Peter

17 Romanowsky in the back and Mr. Dave Jessup, will be

18 in the presentation this evening.

doing

19 What I'd like to do is talk about what we're

since

20 out at Vanguard SynFuels. I've been with this project

I've 21 day one. I've heard a lot of accurate information and
do 22 heard a lot of misinformation. Tonight what I'd like to
use, 23 is set the record straight. What do we do, what do we
I'm 24 you know, who are we and what are we doing out there.
information I 25 convinced that after you look at some of this

1 think you'll feel like we do, that the facility there is
a
2 very good facility. You should be very proud of it,
it's the
3 first biodiesel plant in the State of Louisiana.
4 The President just enacted in Congress a
national
5 energy policy bill that encourages renewable fuels, 500
6 million gallons of biodiesel to be consumed in 2009,
going to
7 a billion gallons by 2012, to reduce our dependency on
8 foreign oil. So hopefully as we go through this, you'll
see
9 that we've been good stewards of the environment. We
worked
10 closely with DEQ on the permit application and we feel
very
11 confident in the presentation and the permit at hand
tonight.
12 I thought maybe what was appropriate -- I know this is
hard
13 to see back there, because of the size. -- to give you a
14 little history of the facility. I've been involved the
last
15 five years with the facility, but the Farmland ammonia
site
16 actually began in 1974, when they began construction of
the
17 plant. So there has been a plant operating there for
25, 30
18 years now. The original discharge permit, water
discharge
19 permit, was issued in 1975 and Farmland operated under
that
20 permit from 1976, when they started ammonia production,

all

21 the way until the last of production of October 31,
2001. So
22 over 25 years Farmland has used water from Little River
and
23 discharged water back into Little River in, what I
think, an
24 effective and safe manner. Vanguard purchased the
Pollock
25 facility when Farmland went into bankruptcy. We
purchased it

12

it, 1 out of bankruptcy July of 2006. After we had purchased
2 we looked at possibly restarting the ammonia plant and
wouldn't 3 determined because of high natural gas prices that
assets 4 work or be feasible. So we sold the ammonia producing
sent 5 and they were recently removed from the site and was
of 6 overseas to a Chinese company. We sold this in January
7 2005.

it 8 We took the money from the sale and reinvested
9 into pipe to form the biodiesel plant, began
construction in 10 September of 2005. April 2006, we started up the
biodiesel 11 plant. We completed recently the dismantlement of the
This is 12 ammonia plant, it was completed in November of 2007.
13 a picture of the original Farmland ammonia plant. It
14 probably consisted of 320 acres, 100 of it is in the
plant 15 area, 220 acres of pine timber.

Farmland 16 This is an overview of what used to be the
used 17 anhydrous ammonia plant. All of this infrastructure was
the 18 in the production of ammonia. Recently, when we sold
assets 19 ammonia assets, we eliminated this entire block of
We're 20 here, as well as the CO2 plant, which was run by EPCO.

21 no longer using the cooling water tower or the ammonia
22 storage tanks in the back. All of those assets have
either
23 been removed or are no longer in use. In fact, the only
24 thing on the site that we're using are these storage
tanks,
25 the rail loading facility and this little building here,

1 which used to be a demineralized water treatment
building.

2 The entire scope of the biodiesel plant is in and
surrounding

3 that little building there. So a much smaller
footprint.

4 The building is probably 80 by 100, to give you a
perspective

5 of what's required. Here is the admin building that we
have

6 our offices in.

7 This is a picture of the biodiesel plant. On
the

8 outside of the building we have our methanol storage.
We

9 have sodium methylate as the catalyst we use and
everything

10 is contained in this building. What's inside the
biodiesel

11 building? There were twelve vessels there, twelve
vessels

12 similar to these four that you see here, range in size
from

13 4,000 gallon capacity to about 7500 gallon capacity. We
took

14 those twelve vessels, converted eight of them into a
15 biodiesel batch process. This is a completely closed
system,

16 it is tanks removing soybean oil, methanol, and a
catalyst

17 into here, causing a reaction with heat, and producing
18 biodiesel and separating off the glycerine. On the
outside

19 of the building we have a filter press for clean up of
the

much 20 process, a boiler, a natural gas fire boiler and pretty
21 that's the extent of the process.
22 Here's a small block diagram of the batch
process 23 itself and how you make biodiesel. We start with an oil
or a 24 feedstock. We use soybean oil, that's all we've ever
used 25 there. We're not using any type of waste grease or
anything.

1 We use a high grade of soybean oil. To be honest with
you,
2 it's cooking oil. The grade that we use is a cooking
oil,
3 very similar to Crisco or Mazzola cooking oil. We use
4 methanol, methanol and sodium methoxide or sodium
methylate
5 as the catalyst. These three chemicals are blended
together
6 into a tank, heated up and brought to a reaction
temperature
7 where the biodiesel is formed in what is called a
8 transterification process. It's a separation that forms
9 biodiesel and what settles out are the free fatty acids
and
10 the glycerine product. We recover methanol -- A typical
11 batch for us is 5500 gallons of soybean oil, about 1,000
12 gallons of methanol and about 200 gallons of (inaudible-
13 coughing). Of that, we recover half of the methanol
back.
14 You over saturate the oil to speed up the conversion.
We
15 then use a purification process, which is magnesol,
which is
16 a magnesium silicate, to remove any impurities out of
the
17 biodiesel. Out of the process -- The entire process
takes
18 about four hours' time. In about one hours' time, you
have
19 the reaction done and the separation and then the
remaining
20 time is cleaning up the biodiesel and separating out the
21 glycerine. You make biodiesel product, glycerine

product,

22 about ten percent of the product comes out as glycerine
and

23 of the glycerine about twenty percent of it is free
fatty

24 acids. We sell, commercially, all three of these
products.

25 The biodiesel is blended with petroleum diesel as a
fuel, it

is
most
redevelopment of
an
infrastructure
build
tank
to
There
soybeans
products by
second
when
people

1 can be used 100 percent of the fuel itself. Glycerine
2 sold for cosmetics and medications. The fatty acids is
3 often used in animal feeds and stuff.
4 Some of the benefits we saw in the
5 the Farmland site into a biodiesel facility, the
6 environmental permits were already in place. This was
7 established process, laboratories -- existing
8 was used minimizing the need to build new roads and to
9 a whole new operation. The buildings we're reusing, the
10 storage, et cetera. It had an existing rail line, truck
11 loading facilities for the ammonia, all were converted
12 biodiesel. Lab facilities were there. All the existing
13 equipment was easily convertible to meet our needs.
14 was an abundant regional supply of raw materials,
15 are growing all in the area, we're able to get in
16 rail or by truck to service our needs.
17 I think one of the important points is the
18 to last one. You had 50 employees that were displaced
19 that plant closed down and that was a huge issue with
20 trying to find jobs. We were able to redeploy about 20

here 21 people and put those higher skilled people back to work
22 in their hometown. It reduced the environmental impact
23 versus the original use. Farmland ran a first class
citizen. 24 operation, they were a good environmental corporate
like 25 From all their records and working with their employees,

the
the
which
River
that,
comparison.

1 Penny, John McDaniel and the employees, I feel like for
2 25 years that it operated they were a good steward of
3 environment. Having said that, the biodiesel process,
4 Penny is going to get up and discuss, you'll see the
5 comparison of how much less impact we have on Little
6 and the environment than what Farmland did. So with
7 I'll turn it over to Penny Welch to give you a

8 MR. HEARING OFFICER:

9 And, Ms. Welch, I'd also ask you to give your
10 address and all of that.

11 MS. PENNY WELCH:

of
in
Farmland
in
from
use for

12 20741 Highway 167, Dry Prong. I'm a resident
13 Grant Parish, born and raised in Grant Parish. I live
14 Prospect. I think everyone knows where Prospect is. I
15 compiled these numbers based on data I had from the
16 facility. Water intake requirements, Farmland used
17 approximately 3 million gallons of water per day. The
18 ammonia process required a lot of water for steam usage
19 the process. Farmland process totals, typically 2,000
20 gallons per minute; Vanguard currently is using no water
21 Little River. We're talking all of our water that we

The 22 our biodiesel production from our drinking water well.
23 estimate for that usage is 30 to 45 gallons per minutes.
water 24 That's at max rates and that's for our process. Our
used 25 discharge comparisons for Farmland to Little River, I

1 numbers from Farmland's discharge monitoring reports
from the 2 Year 2000. And I picked that year because it was the
last 3 full year that Farmland operated and I feel like it was
operated. We 4 representative of the other years that Farmland
Vanguard 5 pumped 97 million gallons of water to Little River.
the 6 has discharged to Little River in 2006 and 2007, since
2006 7 biodiesel plant began operation, two days. One day in
gallons 8 at 210,000 gallons total, in 2007 we pumped 337,500
with 9 into Little River. Both of those days were associated
event 10 high rainfall. It's because we had a big storm water
storm 11 and we had to lower the levels at the time because the
12 water collected in the pond.

13 MR. DARRELL DUBROC:

14 Can I interject and add to the presenter?

15 MR. HEARING OFFICER:

16 Sure.

17 MR. DARRELL DUBROC:

18 I think it's important to point out to your --
the 19 fact that Farmland, on a daily basis, averaged almost
400,000 20 gallons of discharge every day into Little River. We've
had 21 two days in two years that we discharged from the

biodiesel

The 22 plant, half that amount in '06 and one day of 337,000.

720,000 23 Farmland facility was permitted to discharge almost

Little 24 gallons per day in there, every day. So the impact on

were 25 River, both in the water intake -- What you saw, they

1 permitted to use up a billion gallons of water out of
Little
2 River per year, versus we're using no water out of
Little
3 River and we're putting one to two days in, only in the
event
4 of a major rainstorm.
5 MS. PENNY WELCH:
6 I interjected this slide, it's a water balance
--
7 Well, let me get back to it. It's the water balance for
the
8 Vanguard Biodiesel plant. But DEQ has already -- I put
this
9 slide in here so I could show what the sources of our
waste
10 water are. But he has pretty much gone through that
list
11 already and we can't read it too well, anyway. It
doesn't
12 show up too good on this screen. This is a comparison
of the
13 constituents in our permit that we monitor for. In the
14 ammonia process we monitored for ammonia, sulfate by-
15 products, solids, fluorides. But in the biodiesel
process we
16 monitor for biodiesel, total organic carbon, oil and
grease,
17 total suspended solids. We do have mercury in our
permit and
18 mercury is in our permit because Little River is listed
as an
19 impaired stream for mercury. So therefore, if we
discharge
20 into Little River we have to monitor for mercury. Not

because

21 it's suspected as part of the process, but because it's
a

22 requirement for an impaired stream.

23 This is a drawing that's in our permit
application.

24 It shows the drainage areas for each outfall. We have
--

25 We're showing -- This is Outfall 001, which is our
wastewater

1 treatment pond outfall. When we turn on the pumps, it
goes
2 to Little River. We have also the other outfalls, which
are
3 our storm water outfalls. We have 101, which is an
internal
4 outfall right there (indicating) for monitoring our
sewage
5 overflow. It's a sump that drains into our solid
settling
6 pond, which is -- I'm dyslexic left-handed, so this
right-
7 handed thing is not working for me. The plant drainage
area,
8 which is in green, in the center, it's surrounding by
ditches
9 that all drain to our wastewater treatment pond right
here.
10 So those all go through 001. We do have a process sump
that
11 that water goes to first in that area that has an oil
12 skimmer, it's equipped with an oil skimmer that removes
all
13 of the oil before it goes to our wastewater treatment
pond.

14 MR. DARRELL DUBROC:

15 And in the process area here, in the green
area in
16 the center, water only leaves that area when we
determine it
17 leaves that area. It's gated off, we control -- If
there's
18 any kind of spill in the process area, a chemical spill
or a
19 soybean oil spill into the ditches, it's closed off and
we

only by 20 can pump it back into whatever vessels we want. It's
it 21 taking action that we open the gate and, say, even allow
Once 22 to go into our own settling ponds or wastewater pond.
there 23 it's in there, you know, we've only discharged out of
24 one time per year. We can treat the water. Again, the
River. We 25 wastewater pond, it doesn't just run out to Little

on
the
process
the
and

1 have to determine when we're going to discharge and turn
2 the pump. We have a procedure for doing that, we test
3 water before discharging. So it's a very controlled
4 of what leaves the green area and what even gets into
5 pond and certainly what leaves the pond pumped out into
6 Little River. So we have several checks and balances
7 internal controls to make sure that nothing leaves the
8 process area that we don't want to.

9 MS. PENNY WELCH:

of
This
it's in
the
permit
permitted

10 I put this slide in here just for the benefit
11 overall emissions from the plant, for your information.
12 is in our air permit application -- Not application,
13 air permit, excuse me. These are our pollutant totals,
14 emission totals, for each pollutant. As you can see,
15 column under Farmland, those were Farmland's permitted
16 emissions. The second column under Vanguard is our
17 emissions, permitted emission rates. And there is a 98
18 percent reduction in air emissions from what we're
19 compared to Farmland.

20 Benefits of biodiesel fuel; it's a domestic
21 renewable fuel, it is grown and refined by Americans for
22 Americans. Farmers love it, they burn it in their

equipment.

23 Cleaner burning fuel, which reduces environmental
emissions.

24 Biodiesel is biodegradable. It improves your engine

25 performance, it has a lot better lubricity, higher
cetane

1 numbers, it has no sulfur in it. It's used and
supported by
2 (inaudible) engine manufacturers and (inaudible) and
it's
3 cleaner for your vehicle use or you can use it straight
as a
4 fuel (inaudible-coughing). Environmental benefits of
5 biodiesel, studies have been done, lots of studies have
been
6 done on environmental effects of biodiesel in your
engine.
7 Biodiesel reduces net carbon dioxide emissions by 78
percent
8 compared to petroleum diesel. Particulate matter
emissions
9 linked to asthma and other diseases is reduced by 47
percent;
10 carbon monoxide by 48 percent. And I'm going to turn it
back
11 over to Darrell to talk about the economic benefits.

12 HEARING OFFICER:

13 Thank you, ma'am.

14 MR. DARRELL DUBROC:

15 Thank you, Penny. Now, I'd like to cover a
little
16 bit of the economic benefits of the plant for
redeveloping
17 the Farmland site. We immediately put back 22 people to
work
18 with an annual payroll of over \$1.3 million. We also
19 reestablished some much needed tax base in Grant Parish.
20 Farmland was the Number One taxpaying entity in the
parish
21 and when they went bankrupt there was a huge void in the

tax

I 22 roles. We haven't taken their place in paying taxes and
able to 23 hope one day we can. I know we look forward to being
help 24 do that, but right now we are paying our fair share to
25 support schools, our fire and police service.

22

Grant
area
have
ours
practically no
helping
markets for
has
from
day
to the
have an
area.
price
new

1 These are quality manufacturing jobs. And
2 Parish is like Avoyelles Parish where I'm from, a rural
3 of Louisiana, a slightly depressed economy. 15 plant
4 employees average about \$43,000 a year in salary, plus
5 benefits. We have health insurance, we have dental, we
6 401(k), all the benefits you would expect a company like
7 to have. We are producing a new low sulfur or
8 sulfur renewable domestic fuel source. This plant is
9 to support agricultural programs by providing new
10 soybean production. If there's anything that biodiesel
11 done, we've done this too well, soybean prices have gone
12 \$5 a bushel to -- It closed, I think yesterday or the
13 before, at \$14 a bushel. So this has been a huge spur
14 economy for Louisiana farmers planting soybeans. We
15 annual purchasing impact of over \$30 million for buying
16 soybean oil, chemicals, utilities and so forth in the
17 Annual sales revenue of between \$38 and \$45 million,
18 depending on the price of diesel fuel. We target our
19 according to petroleum diesel. It has created a whole
20 fuel industry not tied to foreign oil, not tied to the

Mid

21 East, but tied to Louisiana and American farmers.

22 I mentioned earlier, it is supporting the
federal

23 energy bill mandate that was just passed by the senate
and

24 the house and signed by the President that requires 500

25 million gallons of biodiesel to be produced and used in
2009,

23

1 growing that to a billion gallons by 2012.

2 What are the environmental benefits of

Vanguard 3 Biodiesel plant? Because that's what we're here talking

4 about, the environmental impact it has on the Little

River, 5 the community in general. You saw slides, considerably

6 less water consumed in the biodiesel process versus ammonia.

7 Farmland was permitted to use one billion gallons of

water 8 out of Little River a year. We use zero gallons of

9 of Little River in a year. Considerably less water

10 discharged in the biodiesel process versus ammonia.

Farmland 11 discharged 100 million gallons a year into Little River,

12 we discharged two days, totaling less than 500,000 gallons.

And 13 keep in mind, the two days we discharged into the river

14 were high rainfall events, which means there was ample water

15 in Little River, the banks were overflowed and so the

16 impact of any discharge was very minimal at that point.

17 Improved water discharge quality. You saw the

18 comparison of the constituents in ammonia versus

biodiesel. 19 The biodiesel constituents are what you would expect to

20 find in the Pollock Municipal Sewage treatment discharge.

It's no

21 different than what my home, my residential sewage
treatment
22 system discharges. So there's nothing toxic or no
hazardous
23 materials. The process does not produce any mercury at
all
24 in it. No adverse environmental impact on Little River
and
25 Big Creek. We've greatly reduced the impact that
Farmland

1 had on it. And for 25 years, I think, DEQ and EPA had
2 determined that Farmland didn't have a degradation
effect on
3 Little River or Big Creek. So certainly the amounts
that
4 we're doing in comparison pale in comparison to what
they
5 were using. Dramatic reduction in air emissions; we
reduced
6 air emissions at that plant site by 98 percent of what
was
7 there before. And, again, they operated in compliance
with
8 all environmental laws. We have no on-site waste
disposal.
9 Our general trash collection and solid waste, which is
the
10 magnesol, is sent to a local landfill. There's nothing
11 hazardous about any of that. No hazardous waste at all
12 generated on site.

13 In summary and in closing, the conversion of
the
14 Farmland plant into a biodiesel facility has been a huge
15 environmental and economic success for redevelopment.
This
16 is, I think, the model you're going to see for shut down
17 plants going forward, is to try and find a way of using
it to
18 produce green power or green fuels going forward. Not
only
19 will this plant conversion improve the local air and
water
20 quality it's going to play a significant role in
reducing our

21 dependency on foreign oil by reducing both the state and
22 national greenhouse gases in transportation fuels. We
23 certainly appreciate your attendance tonight and your
24 interest in the project. Thank you very much.

25 HEARING OFFICER:

allowing 1 Thank you. All right, I will now begin by
which 2 all persons who have signed up to speak five minutes in
five 3 to present their comments. Anyone who needs more than
after 4 minutes will be allowed to finish his or her comments
live 5 all the registered speakers have had the opportunity to
facility. 6 speak. The first to speak will be those citizens who
who 7 within a two-mile radius of the location of the
parish 8 The next group will be the speakers who will be those
to 9 work within a two-mile radius of the location of the
10 facility, next are those citizens who live within the
11 of the location of the facility. At this time I'd like
12 call Ronney Broussard.

13 MR. RONNEY BROUSSARD:
14 I'd like to give you this for the Record,
please.

15 HEARING OFFICER:

16 This is an exhibit?

17 MR. RONNEY BROUSSARD:

18 Yes.

19 HEARING OFFICER:

will 20 We have a letter dated January 15, 2008. That
21 be marked as V-2. Go ahead Mr. Broussard.

22 MR. RONNEY BROUSSARD:

23 Do I need to use this microphone?

24 HEARING OFFICER:

25 As long as she can pick you up, you can --

1 COURT REPORTER:

2 That would be great, that way when Mr. Hearing
3 Officer is coughing I can still get you down on the
record.

4 HEARING OFFICER:

5 Sorry about that.

6 MR. RONNEY BROUSSARD:

7 My name is Ronney Broussard, I'm the President
of
8 the Pollock Area Chamber of Commerce. Our address is
P.O.
9 Box 508, Pollock, Louisiana. ZIP Code 71467. And my
10 exhibit, I have wrote a letter to Governor Bobby Jindal,
our
11 new governor, in Baton Rouge, Louisiana and I also
addressed
12 this to the person that was named on this notice, a
Molly
13 McKean, LDEQ Water Permits Division in Baton Rouge,
14 Louisiana. And I've referenced this permit number, all
the
15 appropriate -- I addressed this to Jindal, because he
will be
16 appointing the new Secretary of the Department of
17 Environmental Quality for the State of Louisiana,
whoever
18 that will be. I do not know as yet. But anyway, the
letter
19 goes as, "We are excited to hear of our new state policy
20 regarding corruption and shady practices by Louisiana
21 officials. We feel that the initial permit that was
issued
22 in this case was not issued in the best interest of our

local

23 community, its citizens and the State of Louisiana and
we're
24 requesting that any permits allowing the operation of
water
25 discharges or air discharges should be declared null and
void

27

to
statement
was
impact on
any
quality may
is
from
adverse
Big
for
also
the
will
welcomes

1 for many reasons. It was the responsibility of the LDEQ
2 protect our environment for our citizens and the
3 made by LDEQ, 'During the preparation of this permit it
4 determined that this discharge will have no adverse
5 the existing uses of the receiving water body. As with
6 discharge, however, some change in existing water
7 occur.' It is a well-documented fact that our community
8 known statewide for 4-H Campground Walker, located
9 downstream, that is home to over 5,000 young children
10 all 64 parishes that use Big Creek for many recreational
11 purposes. Any change in water quality will have an
12 impact on our primary use of Big Creek, that is also
13 designated as a Louisiana Natural and Scenic Stream.
14 Creek is also used by many citizens for recreation and
15 water supply for thousands of citizens. Little River is
16 a protected Louisiana Natural and Scenic Stream and it's
17 heavily used for recreation. Recreation and tourism are
18 principal industries of our community and are dear to
19 citizens that live here and any change in water quality
20 adversely affect our community. While our community

21 new neighbors into our area, we do not wish to have bad
22 neighbors that adversely affect other neighbors and
recommend
L.L.C. 23 that this proposed new neighbor, Vanguard SynFuels,
24 explore new and different alternatives that will not
require
25 any discharge into Big Creek, Little River or any
surface

1 water body, either by land or air. Some alternatives
may be
2 deep well injection or large oxidation ponds. Air
discharges
3 may include recapture methods. We would also request
that
4 the environmental community and organizations conduct a
study
5 on existing plants, determine long-term problems that
could
6 occur by the operation of this industrial process. We
would
7 also request that Governor Jindal conduct an
investigation as
8 to why this permit was issued without a public hearing,
as
9 initially requested, and for possible corruption on the
part
10 of the LDEQ. We hope that our requests will be granted.
11 This letter and comment were introduced into the Record
in
12 the public hearing held January 15, 2006 at 6:00 p.m. in
13 Pollock, Louisiana. Sincerely, Ronney L. Broussard,
14 President."

15 I would like to add, in listening -- I know
I've
16 only got a few minutes left. -- that I heard about the
The
17 former plant, Farmland. Now, LDEQ issued those permits.
dying
18 local citizens had to put up for 25 years of our trees
the
19 from the top down, we had to put up with the stench of
We've
20 anhydrous ammonia that went out through their stack.

21 had one report, that I called in, where they had a blow-
out
22 over there and they couldn't shut down the blower and it
23 fumigated our entire house, even our dogs had to run
inside.
24 So they weren't a good neighbor as was projected here.
They
25 also -- their discharge and what they did for our
community,

1 they took a lot of water out of our parish, but where
did all
2 this product go? It went out of state, through
pipelines.
3 So the bulk of the product that they made was sold
elsewhere.
4 So somebody else got all that sales tax. While it paid
us
5 little peanuts for our sales tax -- not sales tax, but
6 property tax to the parish, we didn't get the bulk or
the
7 lion's share. So we missed out. And they created a few
jobs
8 here, but the adverse impact, we feel, was worse than
what
9 the jobs that they produced. They were the No. 2
polluter,
10 according to DEQ, and in the news every year from the
time
11 they opened up, next to Pineville Kraft, which is a
paper
12 mill and they employed over a thousand people. It's not
a
13 big trade off. It's not a very good trade off for our
14 community. So it's because of this, that we know that
the
15 existing plant, that's another reason why we're opposed
to --

16 HEARING OFFICER:

17 You're running over. You need to wrap it up.

18 MR. RONNEY BROUSSARD:

19 Okay. I would like to add one other thing.

20 HEARING OFFICER:

21 Sure.

22 MR. RONNEY BROUSSARD:

23 This public hearing is held for Vanguard and
what
24 permits that Farmland had that they were issued should
not
25 have translated over to this Vanguard SynFuels. They
should

30

new
this
seems
new
I

1 have had to went back through the -- to the new laws,
2 environmental laws and not just carte blanche issued the
3 permit. And the other thing is, I want to know -- Well,
4 would be a question. Now there's a big sign that says
5 Allegro. It doesn't say Vanguard Fuels. So now it
6 like that we're being duped here once again as to who is
7 actually going to operate this plant and what are these
8 people going to do. So that's what my comments are and
9 appreciate your time and your patience.

10 HEARING OFFICER:

11 Thank you, sir. All right, let's see, Michael
12 Boren, please?

13 MR. MICHAEL BOREN:

say
14 Okay, Ronney pretty well covered what I had to
15 about --

16 HEARING OFFICER:

your
17 Wait a minute, Mr. Boren, you need to give
18 name and your address for the Record, please.

19 MR. MICHAEL BOREN:

Junior
I
20 Excuse me. My name is Michael L. Boren, 443
21 Rambo Road, Pollock, Louisiana. I live on Little River,
22 have forty acres there. And Ronney pretty well covered
23 everything I would have had to say except for this, I'll

say

24 this, from what they're touting, is that diesel is the
next

25 American fuel and it coming out of soybeans, is a myth.
I

31

The
get
pay
up. I
his
this
that it
that has
it, you

1 lived in Iowa for eight years, my son still lives there.
2 farmers are having to pay higher diesel prices -- they
3 higher prices for their crops, but are still having to
4 higher diesel prices because the cost of fuel is going
5 just spent six months up there with him, and a lot of
6 friends are farmers, a lot of my friends were farmers,
7 is not the great benefit to farmers that people think
8 is. And anybody else that has lived up in the North
9 had any dealings with farmers, I'd like to hear about
10 know. And one other thing and I won't ask this as a
11 question, but I read it in the paper so I --

12 HEARING OFFICER:

13 Sir, this isn't a question and answer session.
14 you just can give your comment --

15 MR. MICHAEL BOREN:

16 That's what I said, I'm not -- I read this in
17 paper, so --

18 HEARING OFFICER:

19 Okay.

20 MR. MICHAEL BOREN:

21 What it said in the paper was that -- I don't
22 believe y'all are buying these soybeans from the State

of

23 Louisiana, are you? That would be a question. But if
you

24 are, I'd like to know who you're buying them from. It
looks

25 like to me you're importing them in from railcars.
That's

32

1 all I've got to say.

2 HEARING OFFICER:

3 Thank you, very much.

4 MS. LISA JORDAN:

5 I need to make an objection on the Record,
sir,
6 because you're stopping people from asking questions.
And he
7 has --

8 HEARING OFFICER:

9 Ma'am --

10 MS. LISA JORDAN:

11 -- to respond in writing to questions. So
12 questions --

13 HEARING OFFICER:

14 -- you may --

15 MS, LISA JORDAN:

16 -- should be allowed.

17 HEARING OFFICER:

18 Okay. Ma'am, let me answer your question or
your
19 comment. As I said before, this is to gather
information for
20 those who support or oppose this permit. As I said,
when
21 initial -- this is not a question and answer format.
This is
22 for you to make your public comments. That is what the
23 purpose of this meeting is for.

24 MS. LISA JORDAN:

25

I don't think it's appropriate for you to tell

33

1 people how they should phrase their comments or not.

2 HEARING OFFICER:

3 Well, I'm just -- All I'm doing is --

4 MS. LISA JORDAN:

5 I just wanted to make that for the Record.

6 HEARING OFFICER:

7 -- I'm just trying to make things move more
8 expeditiously. I've conducted quite a few of these

before

9 and sometimes you start having people answering --

asking

10 other people questions in a big setting like this, is

not

11 appropriate.

12 UNIDENTIFIED SPEAKER:

13 He wasn't asking it as --

14 HEARING OFFICER:

15 Well, I'm just --

16 UNIDENTIFIED SPEAKER:

17 Well, Vanguard seemed to have more --

18 COURT REPORTER:

19 Excuse me.

20 HEARING OFFICER:

21 Well, ma'am --

22 COURT REPORTER:

23 We must have people identify themselves and come

to

24 the front by the mics if you want to be part of the

Record.

25 HEARING OFFICER:

and

1 If y'all want to speak, you can still sign up
2 come on up. That's just --

3 COURT REPORTER:

4 And what is your name, ma'am?

5 MS. LISA JORDAN:

6 Lisa Jordan.

7 COURT REPORTER:

8 Lisa Jordan?

9 MS. LISA JORDAN:

10 Yes.

11 HEARING OFFICER:

12 And I believe Ms. Jordan is on the list, she
can --

13 All right. Let's see, it appears all these people are
not --

14 Bear with me just a moment. These people are from New
15 Orleans and Baton Rouge. Mr. Davidson? Just give your
name

16 and address, sir.

17 MR. GEORGE DAVIDSON:

18 My name is George Davidson, I live right over
here

19 on Highway 8 at 3765 is the physical address. My post
office

20 box is P.O. Box 81. Anyway, Number One, I know -- How
many

21 minutes do I have, five?

22 HEARING OFFICER:

23 You have five, yes, sir.

24 MR. GEORGE DAVIDSON:

25

Well, what about all the time --

35

1 HEARING OFFICER:

2 You can -- If you -- You can make your initial

--

3 MR. GEORGE DAVIDSON:

4 Well, anyway, just to make a statement --

5 HEARING OFFICER:

6 Sir. Sir, wait a minute.

7 MR. GEORGE DAVIDSON:

8 They got a lot more time than --

9 HEARING OFFICER:

10 Sir, wait a minute.

11 MR. GEORGE DAVIDSON:

12 -- we're going to get.

13 HEARING OFFICER:

14 Well, no. You can -- No. No. If you'll let
me
15 finish what I was going to say. You have five, like I
said,
16 five minutes to make your initial speech. If you need
more
17 time, you may -- after everybody else has their turn,
you can
18 come back and talk all you like.

19 MR. GEORGE DAVIDSON:

20 Okay. Thank you.

21 HEARING OFFICER:

22 Okay. And I won't count me running my mouth
23 against you, so I'll start it over. There you go.

24 MR. GEORGE DAVIDSON:

25 Okay. No. 1, I'm against anything going into

I
going
the
it
pit up

1 Little River, period. Always have been, always will be.
2 don't care who you are, you can't tell me that you're
3 to put something in Little River that does not affect
4 ecology of it. If it were that pure why don't you take
5 and sell it for bottled water or take it and dig a big
6 here -- Ask the U.S. Government if you can dump it up on
7 their land. What are they going to tell you --

8 UNIDENTIFIED SPEAKER:

9 No.

10 MR. GEORGE DAVIDSON:

Is it
pipes we
that?
Creek.
from up
have
You
crosses

11 -- no. How does this get into Little River?
12 via pipes that we can't see? Or into the creeks via
13 can't see? How does it get there? Can anybody tell me
14 I would like to know how the water is pumped out of this
15 plant into Big Creek, into Little River or into Mill
16 You know, I've had experiences with this, everything
17 at Stone Container. They have lied, they have done
18 everything that they can do. They have hid things, they
19 turned everything loose that they can into Little River.
20 can go to 500 up here that goes out of Georgetown and
21 Little River going into LaSalle Parish -- And by the

way, I'm

22 a native of LaSalle Parish, but Grant Parish is my home
and

23 always will be. It's sterile, that's Little River.
Totally

24 sterile. You can't see one bit of life in it or around
it.

25 And it's from pollution. It's from people telling us
that,

37

different 1 Oh, no, this won't bother it. Oh, no. I've got a
2 opinion; yeah, it will bother it. And let me tell you
3 something else, the people that run DEQ -- And I'm
talking as 4 a whole. -- and the EPA, I don't know how they sleep at
night 5 by taking a paycheck. I've got something here I want to
show 6 you. You may not know that this is coming up, but it's
7 coming up but it ain't coming up through the DEQ and the
EPA, 8 it's going to come down through the top. This is also
9 pollution in Little River that starts over in LaSalle
Parish 10 that affects one of my beloved streams called Funnel
Louis 11 that goes into -- also into Little River. Now, I just
want 12 to pass some of this around. Just take a look at some
of 13 these pictures just briefly and pass them around and let
them 14 see it. Now, this is coming up, but I'm going to tell
you 15 what, it ain't going through any politician. We've got
a 16 another way. Ernie and I have another way and it's from
need 17 pretty powerful concern. And the money -- and if they
18 money, baby, they've got it. And I don't believe -- I'm
19 going to make my final statement. I do not believe
anything 20 that I hear in these meetings, that you're going to put

it. 21 something in there that is not harmful. I don't believe

22 I won't ever believe it. Thank you.

23 HEARING OFFICER:

24 All right. John Blandel or Blanda? Bladel?

25 UNIDENTIFIED SPEAKER:

1 He left.

2 HEARING OFFICER:

3 All right. Going once, going twice. No show.

4 Let's see, Rick Bryan.

5 MR. RICK BRYAN:

6 I thought you were taking the people that are
in
7 the parish?

8 HEARING OFFICER:

9 Mr. Bladel --

10 MR. RICK BRYAN:

11 Yeah, but what I'm going to say --

12 HEARING OFFICER:

13 Mr. Bladel was --

14 MR. RICK BRYAN:

15 -- is going to take --

16 HEARING OFFICER:

17 -- the last person in the parish. You claim
to --

18 MR. RICK BRYAN:

19 -- more than five minutes.

20 HEARING OFFICER:

21 -- live in Rapides -- Huh?

22 MR. RICK BRYAN:

23 What I'm going to say is going to take more
than
24 five minutes.

25 HEARING OFFICER:

come

1 Well, you can talk for five, and then you can
2 back, if you like.

3 MR. RICK BRYAN:

4 Okay.

5 HEARING OFFICER:

something

6 I just want to -- Some people want to say

people

7 and go home and do whatever they want to do and other

that's

8 like to stay longer, so that's just to give everybody an
9 opportunity. You know, if you run a little bit over
10 okay, I'll let you know.

11 MR. RICK BRYAN:

from

12 I'll stop before five minutes. I'm Rick Bryan
13 Pineville, representing myself as a Third Water District
14 customer --

15 HEARING OFFICER:

16 Mr. Bryan, you need to give --

17 MR. RICK BRYAN:

who I

18 And in the next paragraph, I'm going to tell
19 represent.

20 HEARING OFFICER:

that.

21 Well, no, she needs your address and all of

22 MR. RICK BRYAN:

23 Street address?

24 HEARING OFFICER:

25

Yes, sir.

40

1 MR. RICK BRYAN:

2 It's on the form.

3 HEARING OFFICER:

4 I know, but it's just for the Record.

5 MR. RICK BRYAN:

6 2405 Evergreen Lane, Pineville, Louisiana.

I'm

7 representing myself as a Third Water District customer.

I'm

8 also speaking on behalf of the Water Resources Committee

and

9 the 10,000 member Louisiana Wildlife Federation; the

10 Catahoula Lake Heritage Foundation, which is dedicated

to

11 protecting the only migratory water bird habitat in

Louisiana

12 with national significance under the Ramsaw Treaty with

13 United Nations; the Rapides Wildlife Association, which

has

14 defended Catahoula Lake since the 1960s; the Louisiana

15 Audubon Council with representatives from chapters

across the

16 state and a new group interested in the economic,

17 recreational and esthetic values of the Little River

Basin

18 from its origin in North Louisiana to the entrance of

French

19 Fork into the Ouachita/Black at Jonesville. No interest

in

20 this project? Let me promise you, these groups are

vitaly

21 interested in the impact this proposal may have on the

22 international treasure we have in Catahoula Lake or

Little

and 23 River and Big Creek, both state and scenic river streams
24 on our drinking water. By the way, have the applicants
25 obtained a point source discharge permit from the Scenic

41

I'd

1 River System? And I'm going to stop there and finish --
2 like to speak after Ernie, if I can.

3 HEARING OFFICER:

4 Okay. That was only a little over a minute.

5 MR. RICK BRYAN:

6 You can go to the next --

7 HEARING OFFICER:

8 That's fine. Let's see, David Jessup?

9 MR. DAVID JESSUP:

10 I'll defer. Thank you.

11 HEARING OFFICER:

12 Okay. Subject to recall?

13 MR. DAVID JESSUP:

14 Yeah.

15 HEARING OFFICER:

16 Pete Romanowsky?

17 MR. PETE ROMANOWSKY:

18 I'd like to defer, also.

19 HEARING OFFICER:

your

20 Defer, okay. Lisa Jordan? And your name and
21 address, for the Record, please.

22 MS. LISA JORDAN:

here on

23 Okay. I'm Lisa Jordan, I'm from the Tulane
24 Environmental Law Clinic, I'm an attorney there. I'm

Environmental

25 behalf of Mr. Howard Charrier and the Louisiana

1 Action Network. My address is 6329 Freret Street, New
2 Orleans, Louisiana 70118. And I'm also here as
supervising
3 attorney over Mr. Emon Mahony, who will speaking on
behalf of
4 Mr. Charrier.
5 I'd first like to finish stating for the
Record the
6 objection that I tried to make earlier, and that is, I
don't
7 think people should be interrupted when they're asking
8 questions simply because it's not a question and answer
9 session. I want people to know that the DEQ is
obligated to
10 respond in writing to all reasonable public comments, so
you
11 can ask questions; just don't expect these people
sitting
12 here to answer them. But they must be answered. And
you
13 have the right to ask a question. I think it was
14 inappropriate for people to be interrupted and told they
15 can't ask questions. And there was no reason to get
bent out
16 of shape about it. It's an official proceeding and I
was
17 making an official objection, for the Record.

18 HEARING OFFICER:

19 Noted.

20 MS. LISA JORDAN:

21 I noticed when Ms. Welch and Mr. Dubroc got
up, a
22 lot of their discussion involved how much better this

plant

23 is than Farmland. And I'm here to say that that is not
the

24 issue; the issue is not is this better than Farmland,
does it

25 have less of an impact. Because as we stated in our
written

new
and it
process as
up
there at

1 comments, this should have been a new permit. It's a
2 facility, it has nothing to do with ammonia production
3 should have been required to go through the process and
4 obtain a new permit. If it was going through the
5 a new facility, obtaining a new permit, they wouldn't be
6 here standing there telling you how it is better than
7 Farmland. They would have to explain why it belongs
8 all.

of
The DEQ
the
the
protecting the
biggest
says

9 And I do think that the comments made by Mr.
10 Broussard were very appropriate, about what the impact
11 this facility will be on Little River and Big Creek.
12 has an obligation because under Article 9, Section 1 of
13 Louisiana Constitution they are the public trustee of
14 environment. That means they are in charge of
15 environment for all of you, for all of us. And the
16 objection we have to these permit proceedings as they've
17 taken place so far is that Vanguard has done the entire
18 analysis on everything that has been done here. And
19 basically, DEQ's statement of basis, which is where they
20 explained their reasons for why they issued the permit
21 almost nothing except exactly what Vanguard said.

22 So from looking at all the records, there has
been
23 no independent analysis by the state agency in charge of
the
24 environment to see what the effects of this plant are.
And
25 it was discussed by Ms. Welch what some of the
discharges

part
only
five,
also
basically
the
to
of
of
examples.

1 were and how they're less than what Farmland did; well,
2 of the problem with the permit is it only monitors -- it
3 limits five things. There are only five, essentially
4 pollutants that are limited in the permit and those are
5 the only pollutants that are monitored. So there's
6 not much monitoring going on of what is coming out of
7 plant. If you don't look, you don't find. So it's easy
8 say, We're only discharging this much of this, this much
9 this, and this much of this, when you're not looking for
10 anything else. You're not going to find it.

11 In our written comments we've submitted
12 This is the first biodiesel plant permitted in the
13 although there are many more to come, apparently. And
14 because it's the first of this kind, it was incumbent
15 the state agency to look carefully at what's going on
16 If they would have looked to Iowa -- There was a
17 who mentioned Iowa. And we submitted a newspaper
18 our comments, because Iowa is having problems with their
19 biodiesel facilities. They are finding that there are a
lot

20 more impacts than what they thought there would be. And
21 they're finding that they really don't know what the
impact
22 of these facilities are to the surface waters they
discharge
23 to. So this is a big part of the problem, they really
don't
24 know. And again, when you don't know, you should be
25 monitoring for things to see what's coming out of the
plant.

1 And that isn't really being done here. And the
monitoring
2 that is done is only done, basically, in some cases
3 quarterly. That means four times a year, and at the
most
4 monthly. So again -- And we've also indicated in our
5 comments that we have issues with the way that the DEQ
has
6 chosen to require them to sample. We don't think it's
7 representative of what's coming out of the plant. One
of the
8 other things that Vanguard did when it went through the
9 permit application is it chose what the SIC code that
would
10 apply to its facility was. That code says what kind of
a
11 process it engages in. And it has a lot of effect on
what
12 environmental regulations that apply to it. There are
13 federal regulations that limit certain pollutants. They
14 picked a code that means that none of the federal
technology
15 based effluent limitations apply to them. And they
picked
16 it, probably for that reason. DEQ basically rubber-
stamped
17 it. We have a problem -- DEQ needs to independently
decide
18 what this manufacturing process is and not let Vanguard
be
19 the one to make that decision. How much time do I have?

20 HEARING OFFICER:

21 You've run over a little bit. But if you want
to

22 wrap it up go ahead.

23 MS. LISA JORDAN:

24 In summary, we are here because the Judge
ordered

25 DEQ to having this hearing. That's why we're here. DEQ
did

1 not get this right the first time. We are asking DEQ to
2 analysis this plant very carefully, not only its impacts
to
3 Little River, but the -- The last thing of substance I
wanted
4 to mention is, basically the only treatment that's going
on
5 in this facility is it goes into a pond and it sits.
And so
6 no one -- There's nothing in the documentation that
indicates
7 if they've looked at the ponds. What are they made of?
Does
8 the stuff just seep out into the ground and into the
ground
9 water and into the aquifer? Where does it go? LDEQ
hasn't
10 looked at that, at least not in context with the water
written
11 permit. I do want to submit, for the Record, our
hired to
12 comments and also the affidavit of an expert that we
13 evaluate the permit application.

14 HEARING OFFICER:

15 Would you like to submit that in globo or
16 separately?

17 MS. LISA JORDAN:

18 No, I'd like it separate, please.

19 HEARING OFFICER:

20 Okay. Certainly. Which one would you like
first?

21 MS. LISA JORDAN:

22 Our comments, please. The one that's on the

23 bottom.

24 HEARING OFFICER:

25 These are exhibits and these comments?

1 MS. LISA JORDAN:

2 No. The first one is comments with attached
3 exhibits. And that is an affidavit.

4 HEARING OFFICER:

5 Okay. All right. Well, I will mark them as
6 Exhibit -- The first one is V-3 and V-4.

7 MS. LISA JORDAN:

8 That's fine. Thank you.

9 HEARING OFFICER:

10 Thank you very much. All right. Emon Mahony.
And

11 just give your name and your address and all that.

12 MR. EMON MAHONY:

13 My name is Emon Mahony, I'm a student
attorney, a
14 law student, with Tulane Law School operating under Ms.
15 Jordan's supervision. And I'm representing the
Louisiana
16 Environmental Action Network and Mr. Charrier. Most of
what
17 I need to say is said in those written comments or Lisa
has
18 already said it. But a couple of things that I want to
add,
19 and that's that they have the capacity to take 250,000
20 gallons of water out of Little River every day, which is
3.6
21 million gallons of water. And they're very unclear in
their
22 permit what they're going to use that for. In their
23 statement of basis for the permit, LDEQ pretty much left
them

can -- 24 to do anything they want to with that water. And that
25 not only for pulling out of the stream, that might be a

all of 1 violation of the Clean Water Act in and of itself, but
pollutant 2 their discharge limits are based on the amount of
they 3 per water volume. So if they discharge more water, if
discharge a 4 tap into that Little River capacity, they could
5 whole lot of all of these pollutants and still be within
6 their permit limits. It's a huge loophole they've got
all of 7 written in there. And at least one of their outfalls,
creek 8 that drainage on the left side of the plant goes into a
for 9 that feeds into Big Creek upstream of the water intake
needs to 10 Rapides Parish. And we think that's something that
it 11 be monitored very carefully. This is a new facility and
12 needs to undergo the full scrutiny. Thank you.

13 HEARING OFFICER:

going 14 Thank you. Let's see, Mr. Vallery, are you
didn't 15 to -- Do you know about how long it might take you? I
real 16 know if we would want to take a little restroom break
17 quick.

18 MR. ERNIE VALLERY:

19 That's fine, if you want.

20 HEARING OFFICER:

We 21 That's up to you. Do you want to take like --

Vallery 22 can take like a five-minute break and y'all can avail
23 yourselves of the facilities. And then we'll let Mr.
24 go.
25 (Off the record 7:18 p.m.)

1 (On the record 7:28 p.m.)
2 HEARING OFFICER:
3 I'd like to call Mr. Ernie Vallery. And, Mr.
4 Vallery, please give your name and address for the
Record,
5 please.
6 MR. ERNIE VALLERY:
7 Ernie Vallery, 1052 Highway 524, Pollock.
Post
8 Office Box 303, Pollock, Louisiana. I live within a
mile or
9 a mile and a half of Big Creek. Big Creek is important
to
10 who I am. It's important to who we are. It's where
many of
11 us learned how to swim, it's where we learned how to
fish or
12 gather muscadines, hunt wood ducks. It's also where
18,000
13 to 24,000 Grant and Rapides parish citizens get their
14 drinking water. Big Creek is important to who we are.
It's
15 not a filthy ditch. But not only that, Big Creek is
16 important to Louisiana. It's important to America and
it's
17 important, even, to the world. Children from all over
18 Louisiana each summer come to Camp Grant Walker to
experience
19 a clean, beautiful stream, some of them for the first
time.
20 They swim in a creek and they've done that for
generations.
21 Louisiana law protects Big Creek and Little River under
the

River are 22 Louisiana Scenic Streams Act. Big Creek and Little
America. 23 important to Louisiana. But it's also important to
River as 24 U.S. law, federal law protects Big Creek and Little
mean? 25 outstanding natural resource waters. What does that

set
next
supposed
River.
But not
the
River
primary
under
international
Creek is
here
spent
Everywhere,
the
concludes

1 It means that congress decided that they were going to
2 aside a few streams in our country to pass on to the
3 generation unimpeded. What it means is, there's not
4 to be any new permits into Big Creek or into Little
5 Big Creek and Little River are important to America.
6 only that, Big Creek and Little River are important to
7 world. Big Creek empties into Little River, Little
8 empties into Catahoula Lake. Little River is the
9 feed into Catahoula Lake. Catahoula Lake is protected
10 the Ramsaw Treaty Act. It's protected under
11 treaty. Little River and Big Creek are important to the
12 world; it's not a filthy ditch. Not only that, Big
13 important to the world because Rebecca Wells has made it
14 important to the world. Because just down the road from
15 in -- readers all over the world know about where she
16 her summers swimming in Big Creek. Little Alters
17 the Ya-Ya Sisterhood series of books, readers all over
18 world. Big Creek and Little River are important to the
19 world. It's not a filthy ditch. Your honor, that

20 my remarks. The rest of my remarks are in regards to my
21 exhibits.

22 HEARING OFFICER:

23 Okay. If you'd introduce those before you put
them
24 in and when you get through doing what you're going to
do
25 just hand them to me so I can keep up with them. You
want

1 those submitted into the Record; correct?

2 MR. ERNIE VALLERY:

3 Yes.

4 HEARING OFFICER:

5 Okay, no problem.

6 MR. ERNIE VALLERY:

7 First, Your Honor, there's a -- this article
from
8 the Town Talk that describes the Rapides Parish Water
Works
9 District No. 3's process. Your Honor, this article
explains
10 what that process is, how it leaves the creek and how it
ends
11 up in the drinking water of 18,000 to 24,000 people in
Grant
12 and Rapides parish. It explains the process that they
use.

13 HEARING OFFICER:

14 All right. That will be marked as V-5.

15 MR. ERNIE VALLERY:

16 And it shows where the water comes out of Big
Creek
17 and where it comes out of Big Creek, which is right down
the
18 road from here. Your Honor, also I'd like to introduce
into
19 evidence the U.S. Geological Survey map for the Pollock
area.

20 HEARING OFFICER:

21 Okay, that will be V-6.

22 MR. ERNIE VALLERY:

23 And, Your Honor, also a blow-up of that map
showing
24 the area of interest. On this map, Your Honor, it show
--
25 and rather than show it everyone, I'll just describe
what it

1 shows.

2 HEARING OFFICER:

3 Okay.

4 MR. ERNIE VALLERY:

5 It shows the branch that -- the stream head
that
6 comes out of the front of the Allegro Biodiesel plant,
where
7 it comes out below their rail yard, where it feeds their
8 warehouse, it goes underneath the railroad track and
then,
9 for locals, it comes out in Jack Coleman's field right
above
10 165, where it empties into Big Creek, which is about a
mile,
11 maybe a half mile, above the water intake for 18,000 to
12 24,000 people. Your Honor, in the statement of basis,
in the
13 permit, nowhere did they talk about Rapides Parish Water
14 Works District No. 3. They don't talk about what kind
of
15 process they use, whether it's chlorine or chloramine,
how
16 these organics are going to interact with that treatment
17 process, whether it's going to make people sick, whether
it's
18 going to be trialamethines (spelled phonetically), one
of the
19 most carcinogenic substances. Your Honor, they don't
even
20 talk -- they don't even acknowledge that Rapides Parish
Water
21 Works District exists. The only time they talk about

22 drinking water, is they admit that that is one of the
23 intended purposes of Big Creek. But they don't talk --
they
24 don't say anything about how these pollutants are going
to
25 interact with that treatment system. We're talking
about the

hospital? 1 VA Hospital. And are we talking about the charity
Honor. 2 Are we talking about neonatal units? No, uh-uh, Your
plant 3 Your Honor, I also have some pictures of the
from 4 and they're dated February 9, 2007. And you can see it
purpose 5 the newspaper in the pictures themselves. The main
you 6 of these pictures is to show -- This one kind of shows,
you 7 know, some of the discharges coming out of that plant,
from 8 can see it on the grass going down into the -- you know,
9 that's going into people's drinking water. And that's
the 10 February 9, 2007. And all of these large pictures are
from 11 outfalls to Big Creek all of these from the rail yard,
12 the warehouse, whatever falls on the ground, whatever is
into 13 spilt on the ground there goes into drinking water, goes
14 the groundwater for my community.

15 HEARING OFFICER:

16 Were these all taken on the 5th?

17 MR. ERNIE VALLERY:

18 February 9th.

19 HEARING OFFICER:

20 February 9th?

21 MR. ERNIE VALLERY:

22 Yes.

23 HEARING OFFICER:

24 2007?

25 MR. ERNIE VALLERY:

1 2007.

2 HEARING OFFICER:

3 Okay. That will be V-8 in globo.

4 MR. ERNIE VALLERY:

5 Your Honor, this picture, also, is something
that

6 Mr. Dubroc talked about and that's also from February
9th.

7 That is an overview of the whole plant and it shows the
smoke

8 stacks that were there in February 7th -- February 9th.
And

9 those things are not there now and he admitted that in
his

10 talk, that these things are now in China. The
Department of

11 Environmental Quality has given this manufacturer a
permit to

12 discharge into two outstanding natural resource waters
that

13 are not supposed to have any new permits and they're
assuming

14 a permit for a facility that is now in China and they're

15 giving them a new permit (sic) here in Pollock,
Louisiana --

16 instead of giving them a new permit.

17 Your Honor, the next is the article that Ms.
Jordan

18 referenced from the Des Moines, Iowa "Register," which
talks

19 about the experience of Iowa with the biodiesel
industry.

20 Just in summary, their experience is this, that their

21 equivalent of the Department of Environmental Quality in

Iowa

22 has found that -- abhorred, has been abhorred about not
only
23 the vast number of violations that this industry has in
Iowa,
24 that's not their major concern, the vast number that
they
25 have. They have a vast number, but they're not really

And 1 concerned -- I mean, that's not their major concern.
that 2 they're not concerned -- Their major concern is not also
they 3 those vast number of violations are across the board,
they 4 are air pollution, they are surface water pollution and
that's 5 are drinking water pollution, but that's not what --
number of 6 not their major concern, even though there's a vast
their 7 violations, even though it's across the board, what
serious. 8 concern is, is that almost every violation is really
9 That's what this article discusses.

10 HEARING OFFICER:

11 And that will be V-10.

12 MR. ERNIE VALLERY:

quarter, 13 Your Honor, my last exhibit is the summary
for 14 the summary quarterly report -- or the quarterly report
up 15 Allegro Biodiesel, for Vanguard, for 2007. This is from
what 16 November 2007. Now, this is what these people are doing
17 there right now, it's what they say they're doing and
18 they're telling the Securities Exchange Commission that
19 they're doing. You know, they tell us they are doing
they 20 biodiesel from soybean oil. And, you know, that's what
21 told us tonight, they got up here and they didn't say

22 anything else about anything else, yet they tell the SEC
23 something different. They tell the SEC, the SEC, we
can't
24 make biodiesel from soybean oil; we can't afford it.
Soybean
25 oil is over \$3 a gallon and our -- and the things we
have to

1 put into the soybean oil has skyrocketed, we can't make
2 biodiesel from soybean -- very unlikely in 2008 that we
will
3 be making biodiesel from soybean oil. And yet they get
up
4 here and they tell us tonight, I mean tonight they tell
us --
5 They don't mention anything about anything else. They
tell,
6 in here, we're looking for other feedstocks. And you
know,
7 one of them that they specifically mention, specifically
8 state in here, is animal fat. They don't tell us. They
get
9 up here and talk about soybean oil and they know they're
not
10 going to be making biodiesel from soybean oil. You
know,
11 they also tell us about 22 jobs. 22 jobs, yeah, we've
got 22
12 jobs up there. They don't bother to tell you they've
got six
13 jobs up there; that they've had to lay-off. That's what
they
14 tell the SEC, they've got six people working up there,
we had
15 to lay off all of these people. Look, I mean, what's
the big
16 deal about it? It has to do with credibility. You
know,
17 just honesty. It's just plain lies. They get up here
--
18 Come in here, people living in Pollock -- It's just
honesty.
19 That's all I have.

20 HEARING OFFICER:

V-9 21 Thank you, sir. And I'll mark that as V-11.

Exhibit V- 22 is the photo of the plant taken February 9, 2007,

last 23 10 is an article from the Des Moines "Register" and this

will be 24 is a quarterly report from Allegro Biodiesel and that

back up 25 V-11. And I believe Mr. Bryan, if you'd like to come

your

1 and make your comments as you would like. And just give
2 name for the Record.

3 MR. RICK BRYAN:

this

4 Right. I'm Rick Bryan from Pineville. And in
5 addition to what I stated before, I'm someone who loves
6 parish, has long-time friends here, and spends a great

deal

7 of time here. We are aware that Grant Parish needs

economic

8 development and we concur with the great need to end our
9 dependence on foreign oil and to curb global warming by
10 reducing the use of fossil fuels. I'd like to see 50

new

11 jobs in Grant Parish, 100, 500. Much as we would like

to

12 back this project, we simply don't have enough

information at

13 this time to support or oppose it. What we have instead

are

14 numerous questions which can't be asked, but legally

deserve

15 answers.

16 From the references to the It (spelled

of

17 phonetically) case and the permit, we knew DEQ is aware

the

18 the precedent established under Article 9, Section 1 of

sites,

19 1974 Revised Louisiana Constitution requiring other

20 other projects, in mitigation be fully and carefully

21 considered.

22 We wonder about using a soybean product when
23 soybeans themselves cost \$14 a bushel. DEQ has an
obvious
24 duty to tell the public what raw material will be used.
If
25 the raw material is changed it must be discussed. And
if it

1 is sufficiently different it can reasonably be
considered a
2 new project. The feasibility of devising a self-
contained
3 system for effluent certainly falls under the category
of
4 additional mitigation. One of our concerns is the low
water
5 flow in Little River during the dry season. If the six
6 proposed reservoirs, on Castor Creek, Dugdemona River
and Big
7 Creek and two other sites, in addition to the Caney Lake
8 Reservoir, which is already built, what impact would it
have
9 downstream on Little River and on Catahoula Lake?

10 Publishing the permit notice in the Colfax
legally
11 "Chronicle" and the "Advocate" may be all that is
Rapides
12 required, but it is of scant value to those of us in
13 Parish who drink the water, but don't read the
"Chronicle".
14 I'll be sending a partial list of issues which need
answers
15 and request that this permit be resubmitted with full
and
16 complete answers. I further wonder, if this operation
is
17 already functioning why are you seeking a permit?

18 In closing, the performance of DEQ has shown
great
19 progress under Doctor McDaniel, your work in ethyl
mercury,
20 requiring the DOTD to adhere to some semblance of
erosion

for
River.
It
when

21 control in the widening of U.S. 167, denying the permit
22 an ill-advised landfill in a flood plane on the Red
23 Let's continue this work in an era when Louisiana is
24 demanding openness and accountability from its leaders.
25 doesn't create the kind of image we want for our state

will

get the

Law

around.

with

LEAN.

permit

made

who

Record and

1 an Ernie Vallery puts himself in harm's way in Iraq and
2 again in Afghanistan, yet is forced to go to court to
3 information we need to make an informed decision. He
4 deserves better than this; indeed, we all do.

5 I must point out that the Audubon Council is a
6 long-term successful client of the Tulane Environmental
7 Clinic, which in turn is one of the best legal teams
8 As Vice-President of the Council, I'm already working
9 Tulane on this matter and we'll be cooperating with
10 The law is on our side. By trying to fast track this
11 DEQ has prompted a judge to require this meeting and has
12 it a court matter. Don't compound the error in a futile
13 effort to evade full disclosure.

14 HEARING OFFICER:

15 Thank you, sir. Are there any other speakers
16 who would like to come forward that haven't signed up?

17 MR. EMON MAHONY:

18 I need to correct a minor misstatement I made
19 earlier, if there's nobody else.

20 HEARING OFFICER:

21 Sure. Just make your appearance for the
22 Record and whatever you need to correct.

23 MR. EMON MAHONY:

24 All that I need to say is that I misspoke
earlier--

25 HEARING OFFICER:

1 Who are you?

2 MR. EMON MAHONY:

3 Oh, I'm Emon Mahony.

4 HEARING OFFICER:

5 There you go.

6 MR. EMON MAHONY:

7 Sorry. And I am just representing Mr.
Charrier.

8 Ms. Jordan is representing LEAN and Mr. Charrier. But I
am
9 not representing LEAN.

10 HEARING OFFICER:

11 All right, duly noted. And is there anyone
else
12 who would like to speak?

13 MR. RONNEY BROUSSARD:

14 I'd like to make one closing comment, if I
may.

15 HEARING OFFICER:

16 Sure. Come on up Mr. Broussard. Just make
your
17 appearance for the Record, so she can keep it straight.

18 MR. RONNEY BROUSSARD:

19 Ronney Broussard, with the Pollock Area
Chamber of

20 Commerce again. First of all, I'm really proud of our
21 community and our citizens that came out to hear what
was

22 going on, to try to ascertain the facts, to make
informed

23 decisions. And I hope that the people will go and
spread

into 24 this word around the community, one voice transports
that 25 many voices. And I would like to also remind the DEQ

1 the "Q" stands for quality. It doesn't stand for just a
2 permit to change something. It's supposed to stand for
3 quality and quality is the utmost. And it's just like
they
4 say, you can drink tea, you can drink coffee, it won't
kill
5 you -- well, maybe some people -- but who wants to swim
in
6 it? Who wants to put a boat in a river full of coffee;
it
7 stains the boat. It stains the boat. Little River,
because
8 DEQ kept looking the other way, they said that the
pollutants
9 that were coming from Dugdemona through Stone Container,
10 said, Oh, it's okay, fish swim in it, put your boat in
there.
11 And it took us a week to get the scum off the side of
the
12 boat. I mean, you've got to really scrub hard. Now,
who
13 wants to swim in that? I used to swim in Little River
as a
14 kid; wouldn't dare swim in it. So these are the things
that
15 we're trying clean up. And I agree wholeheartedly that
these
16 permits -- and now there's another potential buyer or
17 whatever their place is, Allegro. Each time something
18 changes hands, it should be just like home ownership,
they
19 have to go back. If there's something wrong, they have
to
20 bring it up to current standards. They can't just keep

and I 21 passing these permits along. I say that that is wrong
I 22 doubt the legality of it. That's all I have to say and
23 appreciate it, for the closing comment. Thank you.

24 HEARING OFFICER:

25 Thank you, sir. Anyone else?

1 (No response.)

2 HEARING OFFICER:

3 Going once, going twice. Okay. Let's see.

If

4 there are no other comments, I'd like to thank you for

your

5 attention and participation in this hearing. Let the

record

6 reflect that the time is 7:50 p.m. This hearing is

closed.

7 Let me back up. I'd like to remind you that you need to

--

8 Well, it's not in here as it usually is. What's their

time

9 limit for getting anything --

10 UNIDENTIFIED SPEAKER:

11 No, sir, this is the final permit.

12 HEARING OFFICER:

13 This is a final permit. Okay. Well, then I

have --

14 UNIDENTIFIED SPEAKER:

15 Will the people receive a report?

16 HEARING OFFICER:

17 If you --

18 COURT REPORTER:

19 Do you want this on the Record?

20 HEARING OFFICER:

21 No, this doesn't need to be on the Record.

22 (Public hearing closed 7:51 p.m.)

C-E-R-T-I-F-I-C-A-T-E

STATE OF LOUISIANA

transcript
on
this page.
in
whom
Public
pages
reported
best
to
of my ability and understanding; that I am not related
counsel or to the parties herein, nor am I otherwise
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto affixed my
signature at Jena, Louisiana, this 3rd day of February,
2008.

