

1 DEPARTMENT OF ENVIRONMENTAL QUALITY
2 PUBLIC HEARING
3 PROPOSED PART 70 AIR OPERATING PERMIT
4 RENEWAL & MODIFICATION
5 AND THE EAS FOR RIVER BIRCH, INC.,
6 RIVER BIRCH LANDFILL AGENCY

7 The Public Hearing conducted by the
8 Louisiana Department of Environmental
9 Quality Services, Permits Division taken at
10 the Waggaman Playground Gym, Meeting Room
11 #101, 516 Dandelion Drive, Waggaman,
12 Louisiana on Tuesday, June 26, 2007 at 6:23
13 p. m.

14 Reported by:
15 Tara Torres
16 Certified Court Reporter

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| 6 | By Mr. Bi lli ot. | 16 |
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8 heari n6-26. txt
of Environmental Quality. I'll be
9 serving as a Hearing Officer this
10 evening, Tuesday, June 26, 2007.

11 This Hearing is scheduled to
12 accept public comments concerning a
13 Proposed Part 70 Air Operating
14 Permit Renewal and Modification, and
15 the Associated Environmental
16 Assessment Statement, that is also
17 EAS, for River Birch, Incorporated,
18 129 Bellemeade, Gretna, Louisiana
19 70056. Agency Interest Number
20 32219, Permit Number 1340-00223-V2
21 and Activity Tracking Number
22 PER20060004.

23 This facility is located at 2000
24 South Kenner Avenue, Waggaman,
25 Jefferson Parish, Louisiana.

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1 River Birch, Incorporated

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1 requested a Part 70 Air Operating
2 Permit Renewal and Modification for
3 the landfill. Waste receiving rate
4 will be increased from 1.20 to 4.732
5 million tons per year due to the
6 acceptance of construction and
7 demolition, C&D waste. This permit
8 also includes 16 non-hazardous
9 waste/wastewater storage tanks and
10 the Medium BTU Gas Treatment Plant.
11 The waste/wastewater tanks will
12 be used to store and landfill
13 leachate and wastewater from

14 heari n6-26. txt
oil field and related operations
15 prior to disposal via an injection
16 well. The Medium BTU Gas Treatment
17 Plant will be designed to handle up
18 to 5.0 million standard cubic feet
19 per day (MM scf's per day) of
20 landfill gas. Landfill gas will be
21 treated at the facility and burned
22 either in a 1600-kilowatt generator
23 engine to provide electricity for
24 the landfill operations, or at the
25 flare system.

7

1 The EAS submitted by the
2 applicant addresses avoidance of
3 potential and real environmental
4 effects, balancing of social and
5 economic benefits against
6 environmental impact costs, and
7 alternative sites, projects and
8 mitigative measures.

9 This Hearing is not being
10 conducted in a question and answer
11 format. Please remember that the
12 purpose of this public Hearing is
13 for DEQ to receive your comments
14 concerning the Proposed Part 70 Air
15 Operating Permit Renewal &
16 Modification, and the Associated

17 heari n6-26. txt
Environmental Assessment Statement
18 (EAS).

19 This Hearing is to provide all
20 individuals a chance to be heard,
21 regardless of their position on the
22 Proposed Part 70 Air Operating
23 Permit Renewal and Modification, and
24 the Associated Environmental
25 Assessment Statement (EAS).

8

1 Courteous behavior is expected
2 of everyone at all times. You may
3 speak in support of, or in
4 opposition to the Proposed Part 70
5 Air Operating Permit Renewal and
6 Modification and the EAS; or simply
7 to provide additional information.
8 All interested persons will be given
9 a reasonable opportunity to comment,
10 unless testimony is not related to
11 the purpose of the Hearing. Your
12 comments will be evaluated and
13 addressed to the department's
14 written response.

15 A public notice advertising this
16 public Hearing and request for
17 public comment on the Proposed Part
18 70 Air Operating Permit Renewal and
19 Modification, and the Associated EAS

20 heari n6-26. txt
21 was publ ished on Thursday, May 17,
22 2007 i n the Times-Pi cayune, New
23 Orleans, Loui si ana, and al so i n The
24 Advocate, Baton Rouge, Loui si ana.
25 A copy of the materi al
 associated wi th the Proposed Part 70

9

1 Air Operating Permi t Renewal and
2 Modi fi cation, and the Associ ated EAS
3 is avail able for i nspecti on and
4 revi ew at the LDEQ, Publ ic Records
5 Center, Room 127, 602 North 5th
6 Street, Baton Rouge, Loui si ana.
7 Viewi ng hours are from 8:00 a. m. to
8 4: 30 p. m. , Monday through Fri day,
9 except hol i days.

10 Addi ti onal copi es are al so
11 avai lable for revi ew at two branches
12 of the Jefferson Pari sh Li brary, one
13 (1), the Waggaman Branch, 125 Acadi a
14 Dri ve, Waggaman, Loui si ana 70094 and
15 two (2), at the Westwego Branch, 635
16 Fourth Street, Westwego, Loui si ana
17 70094.

18 In addi ti on, copi es of the
19 Publ ic Noti ce announci ng thi s Publ ic
20 Heari ng were mai led vi a US Postal
21 Servi ce on Tuesday, May 15, 2007 and
22 mai led vi a e-mai l on Wednesday, May

23 heari n6-26. txt
24 16, 2007 to individuals who have
25 requested to be placed on the
 mailing listed maintained by the

10

1 Office of Environmental Services.

2 In accordance with the Louisiana
3 Administrative Code, Title 33, Part
4 III, Section 531.A.3.c, comments
5 received by 12:30 p.m., Monday, July
6 2, 2007 will be considered prior to
7 a final decision. All comments
8 received by 12:30 p.m. Monday, July
9 2, 2007 shall be retained by the
10 Department and considered in
11 determining whether to issue or deny
12 the Part 70 Air Operating Permit
13 Renewal and Modification.

14 Written comments on the Part 70
15 Air Operating Permit Renewal and
16 Modification and the Associated Eas
17 may be submitted to Ms. Soumaya
18 Ghosn, LDEQ-OES, Environmental
19 Assistance Division, P.O. Box 4313,
20 Baton Rouge, Louisiana 70821-4313.

21 Under Louisiana Revised Statutes
22 30:2017, as revised by the
23 Legislature in the 2004 session, the
24 Department is required to follow the
25 following order with the provision

1 that the presiding officer may give
2 a preference to a public official to
3 speak at any time during the
4 Hearing. However, any time limit
5 set for citizen testimony shall
6 apply to public officials.

7 The Department must provide up
8 to 30 minutes to the permit
9 applicant for an introductory
10 presentation. Thereafter, the
11 preference for speaking up to one
12 hour is given as follows:

13 For the first hour, to those
14 citizens who live within a two-mile
15 radius of the location of the
16 facility.

17 For the second hour, to those
18 citizens who work within a two-mile
19 radius of the location of the
20 facility.

21 For the third hour, to those
22 citizen who live within the parish
23 of the location of the facility.

24 Thereafter, each hour of the
25 Hearing shall alternate between

1 those who support the Part 70 Air
2 Operating Permit Renewal and
3 Modification and those who are
4 opposed to it.

5 The order of speakers for
6 tonight's Hearing will be based on
7 the information provided by the
8 speaker on the registration form.
9 Anyone registered to speak, but did
10 not provide the necessary
11 information will be given the
12 opportunity to speak, however, they
13 will be called last in the order of
14 registration.

15 This Hearing is being
16 transcribed. Therefore, I ask each
17 speaker to begin by stating for the
18 Record their name, address and any
19 organization he or she may
20 represent.

21 I remind you please turn off all
22 cell phones. Thank you. At this
23 time I'll let you know that you get
24 five minutes to speak. If you run
25 out of time and you want to come

13

1 back up and speak, you're more than
2 welcome to do so. I'll just call
3 you in order after everybody else

4 has spoken. At this time the permit
5 applicant's representative may come
6 forward and make their introductory
7 presentation.

8 MR. CULPEPPER:

9 My name is Vic Culpepper. I'm
10 the Technical Director for River
11 Birch Landfill, 2000 South Kenner
12 Road in Avondale, Louisiana.

13 As everyone here knows, River
14 Birch is in the process of applying
15 for a Title V air permit renewal and
16 modification for our Avondale
17 Landfill facility.

18 Renewal for air permits are
19 required by the Louisiana Department
20 of Environmental Quality every five
21 years. In our renewal, we requested
22 a rate acceptance increase from 1.2
23 tons per year to 4.732 tons -
24 million tons per year.

25 This 4.732 million tons per year

14

1 is actually quite misleading. River
2 Birch concluded that the possibility
3 existed where after a catastrophic
4 event such as Hurricane Katrina, we
5 could receive possibly up to 91,000
6 tons of waste per week for a

7 relatively short period of time.

8 A salt waste permit requires us
9 to list maximum tonnages on a per
10 week basis. So if you multiply that
11 figure over 12 months, it equates to
12 4.732 million tons per year. And
13 that's why it's misleading.

14 On Wednesday, last Wednesday,
15 June 20th, I attended the Waggaman
16 S1 Civic Association meeting to
17 discuss the public notice and this
18 public hearing. The members were
19 very concerned that this increase
20 would allow River Birch to begin
21 accepting waste drained from
22 anywhere and everywhere.

23 I emphasize to you that this is
24 not, nor never was the reason for
25 the requested rate increase. River

15

1 Birch, in accordance with their
2 solid waste permit has a 13 parish
3 service area surrounding the
4 landfill. And as specified in our
5 solid waste program, we're not
6 allowed to accept waste from other
7 areas or other states.

8 However, after listening to the
9 civic association members, I

10 certainly understood their concerns,
11 especially after reviewing the
12 public notice and how it may have
13 been interpreted by the citizens
14 living in the vicinity of the
15 landfill.

16 Therefore, we met on that and we
17 concluded that we feel we can
18 properly handle catastrophic events
19 while allowing for modest growth of
20 the landfill over a 5 to 10-year
21 period, by requesting an acceptance
22 rate of 50,000 tons per region,
23 which equates to 2.6 million tons
24 per year as opposed to roughly 4.3
25 million tons per year.

16

1 We believe this increase is more
2 reasonable and fair, and we hope
3 that this addresses the concerns of
4 our neighbors. Therefore, River
5 Birch will ask the Department of
6 Environmental Quality to reduce the
7 requested rate from 91,000 tons per
8 week to 50,000 tons per week, or
9 from 4.7 million tons per year to
10 2.6 million tons per year.

11 The Title V permit renewal and
12 modification will also authorize

13 River Birch to construct a landfill
14 gas to energy processing plant.

15 This project will enable the
16 recovery of the landfill gas to be
17 used as a fuel or possibly as a feed
18 stock to a chemical processing plant
19 for conversion to methanol.

20 This important project will
21 recycle a valuable resource and it
22 will result in a further reduction
23 of emissions from the landfill as
24 well. And this concludes my address
25 to the Department of Environmental

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1 Quality and the citizens of
2 Jefferson Parish.

3 MR. KIRKPATRICK:

4 Thank you very much Mr.
5 Culpepper. All right. Mayor
6 Billiot?

7 MR. BILLIOT:

8 Thank you very much for allowing
9 me the opportunity to be here today.
10 And also, that at the beginning of
11 the notice that went out. And I
12 know it was only a mistake because
13 they wanted to hold this hearing in
14 Westwego. And I said, "Man, you're
15 trying to get me to commit suicide.

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16 Have this meeting in Westwego when
17 it should be out in this area."

18 Let me just tell you that the
19 landfill does not only affect within
20 a two-mile radius. The landfill
21 affects the entire Westbank. And it
22 needs to be known. And people need
23 to stand up and start talking about
24 it.

25 We are receiving, on our end of

18

1 the parish, the waste and the things
2 that are happening, not here in the
3 surrounding area. They are
4 receiving some waste, but not the
5 majority of it. It's coming from
6 our area.

7 Of course, we want to work with
8 people to make sure things are done
9 correctly, but also we want to
10 recognize the fact that other people
11 should be doing their share.

12 They should be trying to create
13 more landfills in more places for
14 people to go with their waste than
15 just here in West Jefferson. The
16 affect that it has on us is the
17 traffic.

18 And how many times, I'm so tired

19 of seeing, that people want to
20 recover from the hurricane. We want
21 to forget about the things that
22 happened. But yet, each day we are
23 reminded about it by having trucks
24 on top of trucks on top of trucks
25 coming through our neighborhoods

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1 reminding us that the rest of the
2 area has not recovered yet. So we
3 need to live without it being
4 recovered yet.

5 Then, one of the things that
6 really, and I think they need to put
7 some type of restriction on the
8 trucks, by saying "That truck needs
9 to go on the Westbank Expressway and
10 it needs to go through
11 neighborhoods. "We don't need to
12 have stuffed animals, old Saints
13 stickers, helmets and everything
14 else hanging on the outside the
15 trucks. "

16 We need to forget if we're going
17 to forget about the storm. We need
18 to also be treated that way. They
19 outlawed trucks that were serving
20 people food because they want us to
21 forget about the storm.

22 But yet, on the other hand, we
23 have the opportunity of having the
24 trucks come in. When you stop to
25 think about the new Huey P. Long

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1 Bridge that's going to come in, and
2 in all the economical development
3 that's going to come in, into our
4 area, we don't want them to only
5 think of us as being a landfill
6 site.

7 People that have a lot invested
8 in their homes, it is their life
9 investments. It's the things that
10 they do to make their neighborhood
11 the quality of life they enjoy.

12 And just in our particular area
13 in Westwego, I don't know how many
14 tickets the Police Department has
15 issued for the trucks that are
16 coming in and things are falling
17 out. The Sheriff had to make a
18 special notice pertaining to those

19 vehic l es.

20 So overall, once again, if this
21 is going to be allowed in this area,
22 and DEQ feels that it meets all the
23 requirements and all the state laws
24 have been met, and everything needs

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to happen that way. I hope you also

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1 to take into account that you need
2 to go out to those other
3 communi ties. And you need to go out
4 to them and say, "We cannot
5 continuously go over to the western
6 part of Jefferson Parish and let
7 that be the dumping ground for the
8 remainder of the 13 parishes."

9 Somewhere along the line the
10 line's going to have to be drawn so
11 here, people can plan and do the
12 things what they need to do. And
13 the entire Westbank is affected by
14 the traffic situation and the things
15 that go with a landfill.

16 When we talk about putting the
17 oil and the gas and the run-off from
18 the landfill injection into the
19 wells, let's take into account where
20 the petroleum projects are coming
21 from.

22 And people received mineral
23 rights to drill on a land. They
24 receive the revenue for that. Some
25 type of way that needs to be

1 contributed out to the community
2 that's accepting these problems.

3 If we're going to sit here and
4 accept the problems that go along
5 with a landfill, then there should
6 be some type of compensation.
7 Something needs to happen.

8 People who live adjacent to
9 landfills, or myself, like we pay
10 the same amount of money as what you
11 pay to dispose of waste. So
12 somewhere along the line some
13 adjustments have to be made.

14 And I know this is not really
15 the time or the place to do it, but
16 I wanted it to be known that it does
17 not only affect a two-mile radius
18 when you're talking about increasing
19 the size of a landfill.

20 You're talking about increasing
21 the traffic. You're talking about
22 increasing the roadways, the
23 handling of them, the deterioration
24 of them. And you're also talking
25 about the quality of life for people

1 in our particular area.

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2 So once again, thank you for the
3 opportunity to let me talk today.
4 And I just hope that when a decision
5 is made that the people in the
6 area's voice has been heard. Thank
7 you.

8 MR. KIRKPATRICK:

9 Thank you Mayor. Can you give
10 me your address, please?

11 MR. BILLIOT:

12 419 Avenue A, Westwego. Mayor
13 Robert Billiot.

14 MR. KIRKPATRICK:

15 Okay, thank you very much Mr.
16 Mayor. Okay. I will now begin by
17 allowing all persons who have signed
18 up to speak up to five minutes in
19 which to present their comments.

20 Anyone who needs more than five
21 minutes will be allowed to finish
22 his or her comments after the
23 registered speakers have had the
24 opportunity to speak.

25 So now, what I'll do is, if

24

1 you're getting close, I'll kind of
2 hold up my finger like that
3 (indicating), and that just means
4 you've got one minute. And if you

5 get to five minutes I'll kind of
6 give you a little round it up, kind
7 of wrap it up kind of thing.

8 And if you need more time to
9 talk, well that's okay. You can
10 come back. We can be here all
11 night. I get paid about the same
12 so. Anyway, but it's also, it gives
13 the opportunity to others to speak
14 who don't have as much to say. And
15 they can go home and take of
16 whatever they've got.

17 Okay, let's see. First one up
18 is John Schlumbracht. How bad did I
19 butcher your name?

20 MR. SCHLUMBRACHT:

21 That's fine.

22 MR. KIRKPATRICK:

23 Just please give your name and
24 address for the Record, please.

25 MR. SCHLUMBRACHT:

25

1 John Schlumbracht, 7515 River
2 Road, Waggaman, Louisiana. Hello
3 everybody. I moved from Metairie in
4 1975 and built several homes in
5 Waggaman.

6 I moved from Metairie for the
7 clean air and less congestion than I

8 heari n6-26. txt
found in Waggaman. Then here comes
9 River Birch. I oppose the
10 application of River Birch Landfill
11 to increase the intake of waste and
12 emissions of pollutions.

13 River Birch has applied to renew
14 their permit and increase their
15 waste proceeding from 1.2 million
16 tons per year. Think about that.
17 1.20 tons of waste per year to waste
18 over 4.70 million tons per year.
19 Okay?

20 Now, all of a sudden they find
21 people are up in arms so they say,
22 "Oh, we'll drop it down. We only
23 want to double our rate." Okay?
24 No. No. Also, they're asking to
25 take in oil field waste.

26

1 They said at our civic meeting
2 that the oil field waste that they
3 will be receiving will have a
4 radioactive count at or below
5 acceptable limits.

6 I ask the residents of Waggaman,
7 "What is the acceptable limits that
8 you want injected under our homes?"
9 I say, "No oil field waste or
10 products injected under our homes is

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acceptabl e. "

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What has River Birch done for this community? Let's go through it. Well, they've taken in 1.2 million tons of waste not wanted by any other parishes at an average price of \$29 per ton. Making a few dollars there.

They've destroyed our streets, Live Oak Boulevard are now substandard roads due to their trucks going in and out. Get a cup of coffee in your hand and go down Live Oak Boulevard. You'll be wearing it.

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They've filled our roads with trash and debris from all their trucks. Have they bothered to pick it up? Every time you go around our whole neighborhoods are filled up with trash.

They have taken our pure air and dumped pollutants into our Waggaman - Waggaman residents can't even go outside for a barbeque on some nights to enjoy a simple outdoor barbeque or party or any other outdoor activity because of the foul

14 heari n6-26. txt
smell.

15 But they want to increase, they
16 want to double it. Okay. Residents
17 are ashamed when they go outside.
18 Their out-of-town guests come over
19 and say, "What is that smell? What
20 is that smell?"

21 Do we know what that smell is?
22 No, we don't know what that smell
23 is. Do we know where it's coming
24 from? Yes, we know where it's
25 coming from.

28

1 River Birch says they're taking
2 samples and trying to control these
3 odors. They're trying to control
4 their odors. Congratulations.

5 What can we expect if they are
6 granted an increase? They're going
7 to keep trying? We're going to keep
8 suffering? River Birch continues to
9 release pollutions in our air on top
10 of our children.

11 They have no metering device to
12 monitor the pollution device that
13 have come out of their flares. Only
14 models that say what they should be
15 dumping. There is no device that
16 tells them what is coming out into

17 heari n6-26. txt
18 their flare, whether they are
19 burning correctly or not. None.
20 This company, River Birch, has
21 had a major social, economical and
22 environmental impact to our
23 community and our quality of life.
24 I would like River Birch shut down
25 until they are able to control and
 monitor pollutants they are dumping

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1 into our air and prevent them from
2 dumping into injection wells, waste
3 below our homes.

4 Waggaman has united with
5 hospitals. We are residents
6 empowered to maintain a good quality
7 of life. Please stop River Birch
8 from further destroying our quality
9 of life.

10 MR. KIRKPATRICK:

11 Ivan Siekmann. Please give your
12 name and address for the Record,
13 please.

14 MR. SIEKMANN:

15 Ivan Siekmann, 636 Oleander Lane
16 in Floral Acres, Waggaman. I moved
17 here four years ago. And for some
18 reason I was not told that there was
19 a dump close by.

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20 And I didn't know it until the
21 second or third weekend I was here
22 and I walked outside and I thought
23 there was a dead cat in the
24 neighborhood. And the neighbors
25 told me, "No, it was the dump."

30

1 Which I didn't know of at the time.

2 I started going to some of the
3 meetings at the time, and for the
4 last three and a half years I've
5 heard, "We're going to... We intend
6 to... We promise..."

7 The last couple of months have
8 been sickening. I have had people
9 over recently and they wanted to go
10 outside. I've had people tell me
11 their eyes burn, they're kids get
12 sick. It's really, really bad.

13 I know that we have to have
14 dumps. I agree with the Mayor that
15 we have to have them. But why do we
16 have to be the dumping ground for 13
17 parishes? Why did they have to
18 build a \$400 million dollar bridge
19 to the New Orleans dump? What's
20 that going to do for this area out
21 here?

22 My one concern is, okay, we have

23 heari n6-26. txt
24 to have a dump. I'm realistic
25 enough to know they're not going to
 close it down. There's too much

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1 money involved. Too much other
2 prestige. But at least we should be
3 able to say, "Until they can get the
4 stench under control, they ought to
5 not be able to, at least not
6 expand."

7 Let's stick with what we have
8 until they can demonstrate that
9 their new techniques are going to do
10 what they said they're going to do.
11 And if they don't work, then no
12 expansion.

13 If they do work, then
14 incremental expansions. But I don't
15 see, again, I don't see becoming the
16 dumping grounds of this whole part
17 of the State. Thank you.

18 MR. KIRKPATRICK:

19 Keith Carman.

20 MR. CARMAN:

21 Hi, my name is Keith Carman. I
22 live at 212 Modern Farms Road. And
23 I bought my home about five years
24 ago. I'll be honest, I knew there
25 was a dump over there. And I'll be

1 honest with another thing, the truth
2 is nobody wants a dump in their
3 neighborhood.

4 But I saw it as an accessible
5 neighbor, you know? It does smell
6 bad on occasion. And my problem is
7 I bought it knowing it was there,
8 but I did not buy it knowing they
9 were going to try and quadruple what
10 it can take in.

11 I don't want the emissions
12 quadrupled, or even doubled. I have
13 a four and a half year old son. I'm
14 really concerned about his health
15 because quiet honestly, if you're
16 smelling the dump, that's pollutants
17 in the air. And that's harming
18 people.

19 And I just, I would rather that
20 they don't increase the levels that
21 they're allowed to take in, because
22 you bring in more trash, that's more
23 odors in the air, more pollutants in
24 the air. And that's unacceptable
25 with me. That's all I've got.

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Thanks.

MR. KIRKPATRICK:
Terry Ray or Roy?

MR. RAY:
I'm just glad my name's not
Schlumbrecht. Poor John's had his
name murdered several times in
church. My name is Terry Ray. I
reside at 12 Larkspur Lane in
Waggaman.

I have to join in with what the
others are already saying.
Obviously, speaking in opposition to
this permit. And one of the biggest
reasons was, it's pretty much
already been covered, but I too am a
first-time homeowner.

And I had no clue what we were
getting into when we moved out here
a little over three years ago. And
some of the same things have
happened to us has already been
stated. So I don't want to be a
broken record up here and give other
people more time to voice other

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concerns. But we just had a
visiting ministry team in from
Baltimore, Maryland. Because we've

4 been quite involved with part of the
5 recovery process and helping people
6 and all.

7 And one of the first things they
8 said when they got out of our
9 minivan from the airport was, "What
10 stinks?" So again, the same thing
11 that has already been said as far as
12 trying to cook out, trying to do
13 things outside, even just mowing the
14 grass.

15 And obviously, I'm not going to
16 pretend to know everything about
17 emissions, and pollution and all
18 those things. But just like the
19 gentleman before me just said, that
20 with that smell there has to be some
21 bad things behind it.

22 And unless somehow that can be
23 proven otherwise, that's what I have
24 to believe. That's all I have to go
25 on. And so, I'm just concerned

35

1 about the quality of life.

2 We love Waggaman. It's a nice
3 place to live. We're in the newer
4 Floral Acres II Subdivision up there
5 by Sweet Pea. And we enjoy it. We
6 love our neighbors. We have a nice

7 community right here, and we would
8 just like to keep it that way.
9 Thank you for your time.

10 MR. KIRKPATRICK:

11 Tri sha Ray.

12 MS. RAY:

13 My name is Tri sha Ray and I
14 reside at 12 Larkspur Lane in
15 Waggaman. I'm here representing two
16 things.

17 First, the Waggaman Civic
18 Association in which I'm the
19 Secretary. And in polling of the
20 Officers and the Board, we are
21 opposed to the renewal and
22 modification requested by River
23 Birch.

24 I also represent my family, my
25 children, my dog, the neighbors, the

36

1 children in my neighborhood and all
2 of the Waggaman residents in saying,
3 "Enough is enough." We have not
4 just one landfill. We have
5 alternate Jefferson Parish Landfill,
6 and we also have the old GNO, which
7 has not been properly closed yet.
8 So let's work on that as well.

9 The smell issue, exactly. Let's

10 spend some time on that. And let's
11 quit expanding. Move it on down the
12 line, take it somewhere else, share
13 the wealth. We don't need all of
14 the trash in all of the area.

15 It's just a shame. And I also
16 want to say that our Parish Council
17 Member, Byron Lee, has been asked by
18 several people to be here. And he
19 is not here, as usual. So take note
20 of that, Voters, while you're here
21 tonight. Thank you.

22 MR. KIRKPATRICK:

23 Keith Kiraly. Did it right?
24 Close? I'm sorry.

25 MR. KIRALY:

37

1 Hello, my name is Keith Kiraly.
2 I am president of the S1 Civic
3 Association. I'm joined here by
4 some of my colleagues. We formed
5 this association to help stop -
6 start out to help fight things such
7 as what's being proposed.

8 When I bought my home I had a
9 dump, but I didn't have CNG to my
10 knowledge. And it's gotten
11 progressively worse. We have been
12 inundated because of the hurricane.

13 But enough is enough, like everyone
14 has been saying.

15 We had a recent meeting and we
16 did have Vic Culpepper there. And
17 he did explain to us. And one of
18 the questions I approached to him at
19 the end of the meeting was, "Was the
20 increase necessary?"

21 Well, it's only necessary in
22 case of a catastrophic event. And
23 I'm going to tell you right now, if
24 we have another catastrophic event,
25 I'm out of here anyway, they can

38

1 have my land. Okay?

2 I believe that some emergency
3 rules were in vote because of the
4 hurricane, that allowed them to use
5 roads, and increase tonnage and so
6 forth. I can't see why that can't
7 be upheld again.

8 I don't see why a tonnage
9 increase is needed, except for a
10 monetary value. And the monetary
11 value instead of being \$35 million,
12 for what they're asking, it's close
13 to \$80 million per year that they're
14 allowed to take in.

15 Again, they're saying, we were

16 told that this is only as again, and
17 they don't perceive this happening.
18 But as a businessman, I want to tell
19 you right now, if I had a chance to
20 make an extra \$30 or \$40 million,
21 count me in. I don't know how many
22 of you-all would say no, but I would
23 definitely be in.

24 Also, against all the other
25 parishes, and I believe that the

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1 other parishes should share in the
2 stink, the stench, the traffic and
3 everything else that we are
4 inundated with.

5 I also did some research in some
6 of these chemicals that we're being
7 exposed to, and asking for increase.
8 And when you go down the chemical
9 list and they have the PM10, which
10 is dust. So they're asking for a
11 big increase in dust. And we all
12 know, no one knows we need a lot
13 more dust.

14 And the SO₂, which is sulphuric
15 dioxide, which is burning from the
16 gas. And I don't even want to let
17 you know what's involved in all of
18 that.

19 And then you have the other
20 chemicals. And one of them being
21 the VOC, which is the volatile
22 organic compound. And they are
23 organic chemical compounds that have
24 a high enough vapor pressures under
25 normal conditions to significantly

40

1 vaporize into the atmosphere.

2 Common artificial sources are
3 paint thinners, dry cleaning
4 solvents and some different
5 petroleum fuels. The environmental
6 affects are, when they're released
7 to the environment they can damage
8 the soil, the ground water. And the
9 vapors from the VOC's escaping into
10 the air contribute to air pollution.
11 Some VOC's react with nitrogen.
12 They react with nitrogen oxides.
13 Okay?

14 And they're in the air the
15 presence of sunlight or an ozone.
16 Okay, although ozone is beneficial
17 to the upper atmosphere, because it
18 absorbs the UV layers that we all
19 know with skin cancer and so forth.
20 It poses a health threat to lower
21 atmosphere by causing respiratory

22 problems. In addition, high
23 concentrations of low level ozone
24 can damage crops and buildings.
25 So again, the VOC that can react

41

1 with nitrogen. Now, let's go down
2 to another chemical they have, which
3 is NOX. NOX just happens to be
4 nitrogen. How about that? When you
5 mix nitrogen with the VO's, now
6 we're having different chemical
7 reactions.

8 Again, we're at the mercy of a
9 model. They're using all of these
10 chemicals on a model. These are
11 set-up by people in universities and
12 professors and all. And I guarantee
13 you, none of those live in Waggaman
14 or the surrounding Westbank area.

15 Some of these are attributed to
16 causing acute asthma conditions.
17 I've noticed it already in one of my
18 children that's having asthmatic
19 conditions.

20 Yes, the smells are horrific.
21 And yes, I have to live with them, I
22 can't turn them off. But, you know
23 what? Enough is enough. It's time
24 for us to say, "Enough is enough."

25

Thank you.

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MR. KIRKPATRICK:

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Dudley Hartz. I hope I didn't

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mess your name up, sir.

4

MR. HARTZ:

5

Hello, I'm Dudley Hartz, 7525

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River Road, and I'm proud to call

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Waggaman home. Our community

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already has a minimum of four

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landfills. And we receive more than

10

our fair share of air pollution and

11

all other type of pollutions and

12

odors.

13

We hear on the news about other

14

parishes; Orleans, St. Bernard, St.

15

Tammany, all wanting to close down

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landfills and send waste here.

17

Well, we don't need anymore of their

18

waste. We have enough. We need to

19

share with them.

20

If everybody knew that their

21

waste was being dumped in their own

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backyard, perhaps there wouldn't be

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so much toxic waste put into our

24

dumps. That's about all I have to

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say.

1 MR. KIRKPATRICK:
2 David Bourgeois.
3 MR. BOURGEOIS:
4 I'm going to pass.
5 MR. KIRKPATRICK:
6 You pass, okay. George
7 Peterson.
8 MR. PETERSON:
9 My name is George Peterson. I
10 reside at 233 Modern Farms Road.
11 I'm the vice-president of the S1
12 Civic Group of West Jefferson.
13 I moved to Waggaman in 2001.
14 And no, I didn't know that there was
15 a dump here. What I've learned
16 though, over the years of living in
17 Waggaman, is that the people of
18 Waggaman have been crapped on over
19 the years time and time again by Mr.
20 Ward.
21 This landfill was forced down
22 the throats of the people of
23 Waggaman 10 years ago, by a grand
24 hand. And there has been, you know,
25 politicians that kind of said, "Oh,

1 we'll look the other way."

heari n6-26. txt

2 Well, today I need to address
3 the DEQ. Because your title is the
4 Department of Environmental Quality.
5 And it's your responsibility to take
6 action to provide environmental
7 quality to the citizens of
8 Louisiana.

9 The GNO Landfill has been down
10 for umpteen years and has never been
11 properly closed by the DEQ. That is
12 your responsibility. You are
13 lacking in your responsibility to
14 the citizens of Louisiana.

15 As far as the increase in this
16 landfill, it doesn't need to go
17 another, up to 2.6, up to another
18 million tons. We don't need another
19 million tons of trash in our area.

20 There are enough landfills in
21 Louisiana that you, the Department
22 of Environmental Quality, can find a
23 place for this other million tons to
24 go.

25 We don't need 4.7 million tons.

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1 We don't need 2.6 million tons. We
2 have enough trash being dumped in
3 our area. And these people of
4 Waggaman have been force fed this

5 heari n6-26. txt
stuff by the poli ti ci ans of
6 Loui si ana.

7 That's enough. It's enough. It
8 is your responsi bi lity to provi de
9 envi ronmental qual i ty. We need
10 "you" to step up to the plate and to
11 test what is bei ng emi tted from
12 River Bi rch. From GNO, which is
13 still not closed. From the
14 Jefferson Pari sh Landfi ll.

15 We need reports from you telling
16 us, the ci ti zens of Waggaman, what
17 is in our air. You know, there's
18 smells, there's that bacteria, there
19 is, you know, respi ratory problems.
20 And then, you know, you-all want to
21 do i njecti on i nto wells, wi th
22 petrole um waste?

23 Look at Grand Wi a. What
24 happened there? You know? You need
25 to step up, the Department of

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1 Envi ronmental Qual i ty needs to step
2 up and be responsi ble. Thank you.

3 MR. KIRKPATRI CK:

4 Landry Camardelle.

5 MR. CAMARDELLE:

6 Hi , I ' m Landry Camardelle, 232
7 Azal ea Dri ve, Waggaman. I ' m

8 heari n6-26. txt
currently president of the Waggaman
9 Civic Association. I'm not going to
get up and here and beat a dead
10 horse because I think my secretary
11 spoke for the Waggaman Civic
12 Association earlier that we are in
13 opposition.
14

15 I just want to give some of
16 these people a little background.
17 Obviously, some of the people don't
18 realize this, but back in 1993, '94
19 or whatever, all that land where the
20 landfills exist right now was S1.

21 That's hard to believe, George,
22 that that was S1 just like your
23 property is right now. It was -
24 River Birch filed a land suit,
25 lawsuit, I'm sorry - a lawsuit to

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1 have the land converted from S1,
2 reclassified from S1 to U1,
3 unrestricted. The Jefferson Parish
4 Council rejected that at one time.
5 And he went to the Supreme Court and
6 River Birch won their lawsuit.

7 So Jefferson Parish agreed to
8 the consent agreement to go ahead
9 and let them re-zone their land from
10 the S1 to Unrestricted U1. And

11 heari n6-26. txt
12 that' s how Ri ver Bi rch' s got their
13 landfi ll started.

14 They won their lawsui t based on
15 the fact that it was di scri mi na ti on
16 because Jefferson Pari sh, who was
17 fighting the lawsui t, operated the
18 Kel ven Landfi ll. It was ri ght
19 immedi ately adja cent to the
20 property.

21 And they were sayi ng that
22 Jefferson Pari sh was denyi ng them
23 their permi t based on the fact they
24 would have been competi ti on. And
25 so, anyway, you know, the judges
 ruled in favor of Ri ver Bi rch, and

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1 that' s how we got the landfi ll
2 there.

3 One of the agreements was that
4 the Ri ver Bi rch Corporati on was to
5 pay the Waggaman communi ty \$700,000
6 over a 10-year peri od, whi ch was
7 \$70,000 a year, to benefi t the
8 communi ty. However, it was writ ten
9 up in the - I have a - If anybody
10 would be interested, I have a copy
11 of the lawsui t and everythi ng else
12 ri ght here.

13 It was writ ten up in the

14 heari n6-26. txt
15 agreement that the Council Di strict
16 III would receive the money. And
17 that was our Councilman, Donald
18 Jones, at the time. And I have the
19 report that the Waggaman community
20 has received very, very little of
21 that \$700,000. So from 1997 to 2000
22 - The agreement was signed in 1997.
23 And we're almost ten years into
24 the agreement of the \$700,000, and I
25 would doubt at this point that
 Waggaman has received \$50,000 or

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1 more of that \$700,000 of money.
2 The money is being used
3 throughout the Westbank, as the
4 Councilmen see fit. So that's
5 besides the point. I just wanted
6 you people to know that some of
7 these things exist and that's one of
8 our concerns.
9 And the only thing I was wanting
10 from Vic, how is River Birch
11 compared in tonnage per year with
12 Jefferson Parish? Do you have any
13 idea, to the Kelven Landfill?
14 MR. KIRKPATRICK:
15 Sir, this isn't a question and
16 answer format.

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MR. CAMARDELLE:

Okay. Because at one time (inaudible) was receiving close to a million tons a year. And it was rated the largest landfill in Louisiana at 1 million tons. And now we're talking about 4 million tons. So it's got to be the largest landfill of Louisiana.

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Anyway, that's all I have to say. Like I said, our association has already been spoken for. Thank you.

MR. KIRKPATRICK:

David Noble.

MR. NOBLE:

Hi, my name is David Noble. I reside at 28 Parker Lane in Waggaman. We built that house in that new subdivision about four and a half, almost five years ago. I moved from the city because I wanted better. Well, it stinks and I'm tired of it like everybody else. We need to stay together and stand and just stop this thing.

They don't need more money.

It's all about money. This is what

20 heari n6-26. txt
20 I 'm hearing. If Mr. Ward needs more
21 money, get a job. If he wants that
22 landfill, put it in his back yard.
23 Thank you.
24 MR. KIRKPATRICK:
25 Reverend Malbrough.

51

1 MR. MALBROUGH:
2 I 'm Reverend Bobby Malbrough,
3 First Baptist of Waggaman at 401
4 Azalea. I do not live in Waggaman,
5 grew up in Avondale, but I don't
6 live here in Waggaman.
7 I 've been here six years now.
8 And I will say one of the first
9 things that I heard about was, what
10 was the smell, and the way that
11 Waggaman was treated and all this
12 type thing. So of course, through
13 my new diligence I tried to get
14 involved and see what was going on.
15 I had visited all the landfills.
16 Of course, you can't get into GNO,
17 but I have visited the Jefferson
18 Parish Landfill and saw bugs there
19 that I think were unclassified.
20 And I can tell you that I've been
21 there on many occasions. And each
22 time was at the edge of being

23 heari n6-26. txt
24 violently ill before I left. I will
25 tell you, I have been to River Birch
 probably the same amount of times.

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1 And I know I'm in the minority, but
2 I can honestly say neither time that
3 I was there did I smell the stench
4 that I'm hearing. So it hasn't been
5 proven, I guess to me, where it's
6 coming from.

7 I know a lot of it's coming from
8 GNO. I know a lot of it's coming
9 from the Jefferson Parish Landfill.
10 Some of it may be coming from River
11 Birch, probably is.

12 I can say that each time that
13 I've had a concern, we've opened the
14 church up where we've had people
15 come into church. We've invited the
16 folks from River Birch to come out
17 there.

18 And they've always been more
19 than willing to answer any
20 questions. They've more than
21 willing to have us have members of
22 the congregation, or really anyone
23 whether they're congregation members
24 or not that have been there at these
25 meetings, to go.

1 And they've been offered tours
2 and things such as that, just as I
3 have. I don't know what else to
4 tell you. Like I said, I don't live
5 here. I can't say that on every
6 time I've tried to have a barbeque.
7 We've had cookouts and things at the
8 church. I can't say that we've been
9 run off because of the smell. I can
10 say that each time I've been to each
11 one of the two landfills, my odors
12 always come from the Jefferson
13 Parish Landfill.

14 MR. KIRKPATRICK:

15 Ron Austin.

16 AUDIENCE MEMBER:

17 Excuse me. I thought the people
18 who live within a two-mile radius
19 would be able to speak now?

20 MR. KIRKPATRICK:

21 Well, we've actually gone past
22 that. That was someone in support.
23 there's someone who opposes. The
24 next one is opposes. Looks like
25 we're not running into a time

1 problem, so if it's okay with you-
2 all, I'll run this. Mr. Austin.

3 MR. AUSTIN:

4 Good afternoon. My name is Ron
5 Austin. I live at 140 (inaudible)
6 and I'm getting ready build south of
7 South Kenner Road. It's amazing
8 that after the hurricane it was said
9 Jefferson Parish would become the
10 most populous parish.

11 Unfortunately, for Waggaman,
12 River Birch is attempting to make us
13 the most populous trash parish, if
14 you will. They're attempting to
15 make us the most populous dumping
16 site in the State of Louisiana.

17 I think we need to ask ourselves
18 here, and ask the DEQ when they go
19 to provide this permit is, "What are
20 the subjective and objective
21 criteria for allowing an increase?"
22 "What was the subjective and
23 objective criteria for shutting down
24 New Orleans East? What was the
25 subjective and objective criteria

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1 for limiting Gentilly?"

2 How is it months later, after
3 everybody else has been shut down,

4 Waggaman is now, River Birch is now
5 saying, "Oh, we need an increase."
6 I don't know about you, but from
7 where I'm standing that stinks.
8 Same thing, we need to hold, just
9 like the folk in New Orleans East
10 did, our elected officials at
11 hostage. We don't want anymore
12 expansions to anymore landfills.

13 This is our homes. This is our
14 investments. This is where we chose
15 to live. And unfortunately, we're
16 being robbed of our quality of life
17 that we so desire.

18 As Mr. Mayor indicated, at some
19 point we have to draw the line. Mr.
20 Mayor I submit to you, DEQ I submit
21 to you and everybody else who can
22 hear my voice, tonight is the night
23 we draw the line.

24 I ask that each and every person
25 who can hear me, stand and show up

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1 at DEQ's doorsteps and make sure
2 that there's no more expansion on
3 River Birch's Landfill.

4 We ask that any further
5 allowance of the landfill be met
6 with this. Let them find an

7 independent toxicologist, an
8 independent geologist and an
9 independent expert, so we can see
10 exactly what's going on at that
11 landfill over there.

12 Let's not take their word, but
13 let them fund an independent person
14 picked by the residents of Waggaman,
15 so that we can get some proof or
16 evidence.

17 Sir, I submit to you now and I
18 don't know you, I've had very bad
19 experiences with DEQ. I know up in
20 Harvey there was a huge lawsuit
21 involving oil field waste. DEQ said,
22 "There's nothing wrong." A jury in
23 New Orleans awarded 1 billion
24 dollars saying, "You're absolutely
25 wrong. You're absolutely wrong." I

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1 don't necessarily trust them. We
2 need some independent studies. We
3 need independent experts to tell us
4 exactly what's going on.

5 Certainly, I'm going on Record,
6 and everyone else in here is on
7 Record of saying, "Please, do not
8 allow anymore expansion of any other
9 landfill in our neighborhood."

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MR. KIRKPATRICK:

David Williams.

MR. WILLIAMS:

I think most everybody knows me. I live on 449 Modern Farms Road. I lived out here all my life. As far as the increase, I strongly oppose it.

For those who say they don't smell it, I know you say you don't live here, I do live here. I live all the way to the back of Modern Farms Road. I have a nice swimming pools. Do I go swimming with the kids? Sometimes it stinks so bad I go inside. And I work a lot. I

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don't get a lot of time off. But the time I do have off, I like to enjoy myself outside. I'm an outdoors person.

I would like you-all to come live near my street, those who thinks it's safe or finds it safe. Just come and stay at my residence for awhile, at the end of my street and live there for about five years. To have to go through the smell, the stench in the air. No, it's not all

13 the time. But when it is there,
14 it's there. And it stinks that bad.
15 That bad.

16 I had a choice to move away. I
17 actually looked at some property
18 somewhere else before I built my
19 house on Modern Farms Road
20 approximately six years ago. Now, I
21 wish I would have.

22 Waggaman was the last part of
23 country I knew of, you know? I grew
24 up in Waggaman. I moved away from
25 the neighborhood. I figured Modern

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1 Farms Road was far enough away from
2 everything, but I guess I was wrong.
3 And the quality of life in Waggaman,
4 it does stink. So I mean, I'm here
5 to voice my opinion and I strongly
6 oppose this. So I wish anybody that
7 said there's nothing wrong with it,
8 I wish they would have to live back
9 there for a particular amount of
10 time, just to see what we got to go
11 through.

12 Now, we have two schools back
13 here with kids. Why can't we spend
14 some of this money that generates
15 from this landfill already and find

16 someplace where might be a five-mile
17 distance from a local neighborhood.

18 They can find places. They can
19 spend and allocate some money to,
20 you know, go to and evaluate certain
21 areas to see if they could get some
22 of this trash from Waggaman and
23 bring it somewhere else. You know?

24 We're going to be - Waggaman's
25 going to be known as the big dumping

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1 ground. We're already known as the
2 big dumping ground. So that's all I
3 have to say.

4 MR. KIRKPATRICK:

5 Margo Johnson.

6 MS. JOHNSON:

7 Good evening. My name is Margo
8 Johnson. I live at 309 District
9 Drive in Avondale. I don't live
10 right here in Waggaman. But this
11 smell affects the entire area.

12 When this first began, right
13 after the hurricane when they were
14 moving trash, and in New Orleans
15 East they decided they didn't want
16 the dumping grounds there. And they
17 said it was okay to bring it over
18 here, the talk that you heard on the

19 news was, do not return to these
20 areas because of the mold, the
21 mildew, the different things out
22 there.

23 Well, I could be wrong, but I
24 don't think it disappeared between
25 New Orleans East to Waggaman. It's

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1 not always what you can smell that
2 does the damage to your body. It's
3 not always what you can smell. The
4 things in the air that you can't
5 smell does just as much harm as the
6 things that you can smell. And
7 nothing disappears.

8 Now, there are some things that
9 weren't on these trucks by the time
10 they got to Waggaman, because it was
11 all over the highway. So some
12 things didn't make it to the dumping
13 grounds. When this first started we
14 picketed at Capital Drive and
15 Highway 90 for them to stop those
16 trucks from coming back here. And
17 we were totally ignored. We'd sit
18 out there with signs. The news
19 cameras came out. That was the
20 quickest story I ever heard in my
21 life. It came and it went, but the

22 nails are still there. People were
23 constantly buying tires because of
24 things being dropped on the highway.
25 So we were told, "Okay, DEQ is

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1 going to come in and they agreed to
2 put monitors up to monitor the air
3 in different areas." I haven't seen
4 them. Not only have I not seen
5 them, I want to know when DEQ who
6 works in conjunction with the
7 landfills, puts some monitors up,
8 who's going to watch the watchman
9 that's watching the monitors?

10 These people work together. And
11 if we don't stand for us, nobody is
12 standing for us. The old people
13 say, "Sometimes you for anything and
14 fall for nothing." We're not
15 falling for this. It has to stop.
16 And if we don't stop it, nobody else
17 will.

18 There's an elementary school
19 right over here, Norbert Rillieux.
20 Children go home more sick, since
21 that started happening, with
22 respiratory problems. You walk into
23 the physician's offices, the
24 respiratory problems has increased

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because of the things in this trash.

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Because of the things that were in
the water. Because of the things
that are now in the air.

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Not only have children been
suffering more with respiratory
problems, but older people have been
suffering with respiratory problems
because of all the things in the
air. That didn't go away because
they moved the trucks. It just
transferred out here. The
respiratory problems are ridiculous.
I too have a child that has asthma.
And I've never spent so much money
on the doctor's office than I have
since all this stuff started coming
out here.

18

So we need to not forget what is
happening on a daily basis. Not
only about what can be smelled, but
what cannot be smelled. Even down
in Avondale. Let the wind blow
right, you going inside because you
can't take the stench.

24

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We have more than one landfill

1 out here. And I totally agree with
2 you, Minister, it's coming from more
3 than one. I ain't saying it ain't
4 River Birch though. It's coming
5 from more than one though.

6 Do we need an increase in this
7 trash? No, we do not. The only
8 thing that is going profit from
9 increasing the intake of trash into
10 River Birch is River Birch.

11 MR. KIRKPATRICK:

12 Ellen Palansky.

13 MS. PALANSKY:

14 My name is Ellen Palansky, 10125
15 South Kelly Lane, Waggaman. I'm
16 opposed to the proposed
17 modifications. I'm extremely
18 opposed to the tanks that are
19 proposed to be set and have non-
20 hazardous oilfield waste in them
21 sitting, waiting to be deep-well
22 injected.

23 Non-hazardous oilfield waste is
24 non-hazardous by an exemption. If
25 you test that waste, that waste is

1 hazardous. But because there is an

2 heari n6-26. txt
3 exempti on for it, Ri ver Bi rch can
4 say they have non-hazardous oi lfi eld
5 waste on-si te. I agree wi th
6 everythi ng else that's been sai d
7 here thi s eveni ng and that's all I
8 have to say. Thank you.

8 MR. KIRKPATRI CK:

9 I f there' s anyone else that
10 woul d li ke to speak, that was the
11 l ast speaker we have that' s li sted.
12 I f you' d li ke to, please come
13 forward. Okay, are there any other
14 comments?

15 THE AUDI ENCE:

16 How l ong woul d i t take you to
17 shut i t down?

18 MR. KIRKPATRI CK:

19 What?

20 THE AUDI ENCE:

21 How l ong woul d i t take you to
22 shut i t down?

23 MR. KIRKPATRI CK:

24 The shut down of what?

25 THE AUDI ENCE:

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1 Ri ver Bi rch.

2 THE KIRKPATRI CK:

3 Thi s i s not a questi on and
4 answer format, si r. To tel l you the

5 heari n6-26. txt
6 truth, I wou ldn' t know. I' d like to
7 remi nd you that the comment period
8 for the Part 70 Air Operating Permit
9 Renewal and Modi fi cation and the
10 Associ ated Envi ronmental Assessment
11 Statement for Ri ver Bi rch,
12 Incorporated, Ri ver Bi rch Landfi ll
13 ends at 12: 30 p. m. , Monday, July 2,
14 2007.

15 I haven' t received any exhi bi ts.
16 If there are no other comments, I' d
17 like to thank you for your
18 participati on and attention at thi s
19 heari ng.

20 MS. RAY:

21 Can I make another comment? Can
22 I comment agai n, an addi ti onal ?

23 MR. KIRKPATRICK:

24 Sure. Just give your name and
25 address agai n for the Record.

MS. RAY:

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1 Okay. Just something I forgot
2 to menti on regarding the money. Hi ,
3 my name' s Tri sha Ray, 12 Larkspur
4 Lane, Waggaman. Regarding the
5 \$70,000 that' s all o tted to thi s area
6 by Ri ver Bi rch, as ordered i n the
7 Court Order.

8 River Birch knows, they have
9 been notified, that when that money
10 goes to Byron Lee, that he's not
11 putting it back here. They've been
12 told. They do nothing to get him to
13 change that. They have done
14 nothing.

15 So, you know, they know who's
16 getting that money. Again, Byron
17 Lee is not here. Just recently, we
18 did receive \$5,000 for our
19 association that we used for the
20 schools. We use it to better the
21 parks. We give it here to the
22 playgrounds. But we did receive
23 \$5,000 out of that \$70,000 in the
24 last allotment. But in that very
25 same time that Byron Lee was

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1 allotting money, he allotted \$15,000
2 to a Christian School in Marrero,
3 which happens to be the church he
4 attends.

5 And the Administrator is Mr.
6 Boudreaux, who at the time was
7 running for School Board, when he
8 received the money. And when we
9 talked to Casey, Byron Lee's
10 assistant, and sent letters and

11 heari n6-26. txt
called, Byron Lee was very upset
12 that he was questioned on this.
13 And his only answer was, "There
14 are students from Waggaman that go
15 to that school." That's what he
16 said. So my frustration is that we
17 then took this to River Birch and
18 said, "The money is given, but it's
19 not being placed here."
20 And River Birch and their people
21 have not done one thing to go to
22 Byron Lee and make sure that money
23 stays in this area. So I encourage
24 you to call Byron Lee, ask for
25 money. If you run some sort of

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1 church, if you run a school, if you
2 run anything right here in Waggaman
3 for the betterment of children or
4 this - ask for that money. And
5 tell them you know that River Birch
6 has money there and you want it.
7 And we need to stand up for what
8 Little River Birch has given us over
9 the past 10 years, that we've gotten
10 so little of. You know? Do what
11 you've got to do to get anything out
12 of them. Their big signs here on
13 the playgrounds. All of that

14 heari n6-26. txt
nonsense is just, enough is enough.

15 And you know what, beyond the
16 smell, what that pastor said. I
17 don't care where the smell is coming
18 from. Even if there was no smell,
19 we don't need more garbage. It's
20 not all about the smell.

21 MR. KIRKPATRICK:

22 Sure. State your name and
23 address again for the Record.

24 MR. PETERSON:

25 Hi, it's George Peterson, 233

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1 Modern Farms Road, Waggaman. You
2 know, a lot of people did make a
3 great point, you know? It's not
4 about the smell, even though we know
5 that it stinks. This whole deal
6 stinks. The fact that it was forced
7 upon you all 10 years ago, it
8 stinks.

9 My address previously was to the
10 DEQ. That the DEQ is failing in
11 their responsibility. But further
12 comment on what the rest of the
13 citizens have said tonight. You
14 know, if it's \$29 a ton, and it's
15 \$30 to \$40 thousand - I'm sorry \$30
16 to \$40 million dollars a year that

17 River Birch takes in. And they want
18 to increase that up to, God knows,
19 \$100 million, they need to give
20 shares to every citizen in Waggaman,
21 to have. So that we get dividends
22 from River Birch. We need to get
23 something out of having this forced
24 upon us.

25 You know, \$70,000 going to the

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1 parish, to Donald Jones and Byron
2 Lee to spend their own back yard is
3 bull shit. Excuse me. We have a
4 lot of needs in Waggaman besides the
5 playground and another popcorn
6 machine, okay? We need, the Fire
7 Department has requested a water
8 tower to help fight, to protect our
9 property. You know?

10 If River Birch is going to make
11 \$40 to \$50 to \$100 million dollars a
12 year, maybe they need to put a
13 million dollars into building a
14 water tower for this community, you
15 know? We need some of our roads
16 fixed and repaired. We need to, you
17 know, stop the damn speeders on
18 Modern Farms. You know? We need to
19 have something coming back into this

20 heari n6-26. txt
community, more than just another
21 damn popcorn machine. All right?
22 And it's definitely the DEQ's
23 responsibility to protect the
24 environmental quality of these
25 citizens. And that's all I really

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1 have to say.
2 MR. KIRKPATRICK:
3 Please keep your comments to the
4 permit itself.
5 MR. SCHLUMBRACHT:
6 The permit itself?
7 MR. KIRKPATRICK:
8 Not speeding and whatnot.
9 MR. SCHLUMBRACHT:
10 John Schlumbracht, 7515 River
11 Road. I'm a member of both Waggaman
12 Civic Group and the S1 Civic Group,
13 and my address is to River Birch.
14 We don't want your money. Give
15 me my clean air back. Take that
16 money and close your facility there
17 and bring it somewhere else. I
18 don't want oil field injection. I
19 don't want dirty air. I've got 11
20 grandchildren. I want them to grow
21 up normal, without any problems. I
22 don't want anymore pollutants put in

23 heari n6-26. txt
the ai r. Thank you.

24 MR. SIEKMANN:

25 I van Si ekman n, 636 Ol eander.

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1 It's just a matter of justice that
2 frustrates the heck out of me.
3 Jefferson Pari sh says, "No, you
4 can' t build a high fence around your
5 house. No, you can' t put a shed up
6 because it might overload some
7 culvert in your back yard. No, you
8 can' t do this, you can' t do that."

9 It's very careful about what we
10 can do on our property, with our
11 property, and yet we've got this
12 huge obstructi on right around the
13 corner from us that doesn' t seem to
14 be regul ated.

15 And it just seems to me that
16 Jefferson Pari sh, you know, people
17 are saying that the poli tici ans
18 don' t care about us. It is kind of,
19 there's a sense of hopelessness that
20 says, you know, we can scream and
21 yell all we want, but they're not
22 going to listen to us.

23 You know, it's a feeling that
24 way. Because the peopl e are saying,
25 no, no, no. But if you're going to

1 do it. So we don't know what to do.
2 We don't know if anybody's listening
3 to us.

4 This is bad for us, for the
5 children, for the people, it is bad.
6 Period. And we cannot tolerate an
7 expansion of this. Now, whether
8 it's Jefferson Parish, or whether
9 it's River Birch, or whether it's
10 government, that's not something we
11 can do anything about. It is
12 something you-all can do something
13 about.

14 There are at least three of
15 those dumps that need to be dealt
16 with for the sake of these people.
17 And if there is government that's
18 supposed to be taking care of us,
19 not spoon feeding us, but not
20 hurting us either. Then injustice,
21 if you-all are going to be so
22 careful about how high our fences
23 and what goes in our front yard, and
24 all these rules. And those are all
25 good rules for the sake of the

1 beauty of the area. And for the
2 sake of the neighborhood, how loud
3 is the music. But then be able to
4 just dump all this garbage next door
5 and say that's okay.

6 We've got all these rule things
7 that we have to be careful of, it's
8 just not justice.

9 MR. KIRKPATRICK:

10 Please give your name and
11 address for the Record, please.

12 MS. COBB:

13 Susan Cobb, 10021 River Road.
14 My thoughts are, no one's - We're
15 all concerned about our children,
16 and ourselves, and our property
17 value, and that's all important too.
18 And I'm backing up everything
19 everybody said.

20 I'm with George, no compromises.
21 We don't want River Birch's money,
22 just get out of here. Because if
23 they start thinking they can buy us
24 off, then they're going to get their
25 expansion. So no buy off's there.

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1 But we also have to think about,
2 there's a lot of people in this area
3 who are in agricultural with horses,

4 produce. I know my husband has his
5 little farm.

6 You know, if they start
7 injecting things into the ground, am
8 I going to want to eat tomatoes, and
9 cucumbers, and eggplant that he's
10 growing there? I don't know. I'm
11 going to get concerned.

12 And I know a lot of the other
13 neighbors, and I know there's a lot
14 of horsemen out here. You know,
15 their horses are grazing. Their
16 horses are grazing in the area and
17 if stuff starts seeping up from the
18 ground, then it's not healthy for
19 horses.

20 And we're not talking about
21 horses that are little track horses.
22 These are investment horses. There
23 are race horses out here. There's
24 people that have thoroughbreds. So
25 this is an important issue too.

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1 It's the whole environment.

2 I'm not from this area. I moved
3 here probably about 10 years ago
4 also, not realizing how detrimental
5 this dump was to Waggaman. And I'll
6 tell you, I'm very, very

7 di sappointed. It weighs my heart.
8 But my husband did grow up out
9 here and it was always his great
10 country that he lived in, the
11 country area. And I've enjoyed it.
12 I hate opening the door and going
13 outside in the smell and everything.
14 I know it's not the most important
15 thing, but River Birch needs to go.
16 The older dumps need to go, and we
17 need to share them with other
18 parishes.

19 MR. WILLIAMS:

20 I have a little thing to say,
21 and I can say it from back here.
22 About two weeks ago I received -

23 MR. KIRKPATRICK:

24 What's your name? Give your
25 name and address.

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1 MR. WILLIAMS:

2 David Williams, 249 Modern Farms
3 Road. About two weeks ago,
4 approximately two weeks ago, I
5 received a little -

6 MR. KIRKPATRICK:

7 Excuse me. We're recording
8 this, so if you would talk from
9 here. Thank you. Sorry, I forgot

10 about that. We have a Court
11 Reporter over here recording it in a
12 written fashi on. And we also are
13 recording it.

14 MR. WILLIAMS:

15 Okay. Approxim ately, two weeks
16 ago, on my door, I received a little
17 notice. I guess it was from
18 mosquito control. I don't know how
19 many of you received this notice.
20 It said that in my area there was
21 mosqui tos found that carry
22 encephal it is.

23 All right, and I've seen the
24 mosquito man on Modern Farms. Di d
25 anybody else receive this little

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1 notice on their door? And asking
2 you to check your swimmi ng pool s,
3 and your birdbaths and so forth and
4 make sure there's no standing water.
5 Okay? Who's checking the dump for
6 the standing water back there, for
7 this? I mean I have five kids I'm
8 rais ing, you know? You've got to
9 spray them before you go outside and
10 play in the yard.

11 But, I just was wondering if
12 anybody goes back there and checks

13 for these things back there at the
14 dump for standing water and all.
15 And I just was concerned for all
16 these people in here just to see how
17 many did, and who did not receive
18 it, just to let them know that I
19 received that and some of them has
20 received it on their doorsteps.
21 That's it.

22 MR. KIRKPATRICK:

23 Any other comments before the
24 conclusion. Come up to the podium.

25 MR. MCBRIDE:

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1 My name is Leo McBride and I
2 live on Reynolds Drive and around
3 South Kenner Road. People are
4 talking about radiation. But it's
5 called radar gas. It comes from the
6 pieces of rocks.

7 The only way to get rid of it is
8 to aerate the soil to release gas in
9 the atmosphere. And you test the
10 soil until there's no more
11 radiation. That's how you get rid
12 of the radiation off the oil field,
13 you know?

14 You know, but this isn't rocks.
15 It's gas. It's not solid, it's gas.

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16 And they let it, you know, they put
17 it in the atmosphere to get rid of
18 the stink.

19 MR. KIRKPATRICK:

20 Okay. If you all want to talk,
21 you just need to line up over here.
22 And just give your name and address
23 again for the Record.

24 MR. CAMARDELLE:

25 Landry Camardelle, 232 Azalea

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1 Drive. Now, I didn't talk that much
2 earlier because I knew we had a lot
3 to say, and I didn't realize it
4 would go this long. But what people
5 don't know is I moved out here in
6 1961. And back in that time, one of
7 the reasons I moved out here, I
8 think there's a few people out here,
9 you know, that's lived out here as
10 long as I have, know that all that
11 land on the other side of the
12 railroad tracks at one time was
13 lakes, and ponds and canals, and
14 fishing. It was fertile fishing
15 grounds.

16 And then Greater New Orleans
17 came in. Jefferson Parish Council
18 at the time, and I don't recall who

19 was in office, and our state
20 legislatures granted New Orleans the
21 right to operate their landfill on
22 the western side of the boundaries.
23 Which is South Kenner Avenue.

24 South Kenner Avenue at one time
25 extended across the railroad tracks

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1 to Highway 90. It was a dirt road.
2 That's how all the trucks came in
3 and dumped their garbage and stuff.

4 And at that time, Greater New
5 Orleans was just dumping everything
6 on top of that land. There was no
7 Barrios, no nothing. You just came
8 dump. They pumped out the sewerage
9 tanks and everything right on the
10 ground.

11 MR. KIRKPATRICK:

12 Sir, I hate to interrupt you,
13 but could you kind of stick to River
14 Birch?

15 MR. CAMARDELLE:

16 I will. I'm getting to the
17 point, okay? So anyway, we went to
18 court and we got the - over the
19 years we shut that landfill down.
20 After that, along came Jefferson
21 Parish and built the Kelvin

22 Landfill, as I told you earlier.

23 And then in 1997, of course they
24 got the permit to operate River
25 Birch. And let's be fair to River

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1 Birch also people. We want to shut
2 it down? Let's shut down Kelvin
3 Landfill also. If you shut down
4 River Birch you're still going to
5 have Kelvin Landfill back here.
6 You're still going to get the smell.
7 We had the smells before River
8 Birch.

9 We had the smells with the
10 Kelvin Landfill and we had the
11 smells with the Greater New Orleans
12 Landfill. If we're going to shut
13 one down, let's shut them all down.
14 That's all I had to say. Thank you.

15 MR. NOBLE:

16 Hello again. David Noble, 28
17 Larkspur Lane, Waggaman. Talk to
18 you a little bit about radiation. I
19 work with it all day everyday. I'm
20 a chemical manager. Radiation can
21 help you, but it can kill you as
22 well. And that radon gas that gets
23 in the atmosphere as you're burning
24 it off, you're breathing that.

So if you like breathing in

1 radiation, getting sick, getting
2 cancer. I know I don't. We've got
3 to do something about these people.
4 We've got to shut them down, start
5 working as family.

6 I ask you DEQ, that where ever I
7 work at, you're all over us every
8 six months checking us out because
9 of what we do. And what we do, we
10 save lives.

11 But then, you-all come in like
12 we're committing a crime. And
13 you're ready to shut us down if we
14 mess up with one thing in a
15 procedure that we do. Why can't you
16 be like that for everybody else?
17 For these people that want to put
18 oil inside the ground? That's a
19 rhetorical question, because I know
20 you're not going to answer that.

21 But, thank you-all for being
22 here and standing together. We need
23 to keep standing together. And
24 don't fall for the sugarcoating
25 that's being fed to us. It's a bad

1 i dea. It's always going to be a bad
2 i dea. Let them do it somewhere
3 el se. Thank you.

4 MS. GRI FFIN:

5 Hi , my name is Paul ine Gri ffi n,
6 27 Wi ni fred Street, Waggaman. I've
7 lived in Waggaman for 18 years. I'm
8 a member of the Ci vi c Associ ati on.
9 I haven't been to the meetings
10 lately, but.

11 I just want to remind everyone
12 who is opposed to Ri ver Bi rch's
13 expansi on, as I am, that on that
14 presentati on on the screen they said
15 the time peri od for publi c comment
16 ends July 2nd.

17 If you have not written a letter
18 to Ms. Ghosen, please do so. Please
19 encourage all of your neighbors,
20 your fri ends, your church members,
21 everyone you know who is opposed to
22 this, to please do this.

23 Because, they're looking at the
24 written comments. And I'm sure
25 they're going to keep this meeting

1 in mind. But they're looking at the

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written comments.

So we need to definitely
increase our voice, and let our
voice be heard. Thank you.

MR. KIRKPATRICK:

Is there anymore? Anybody else
like to speak? Okay. If there's no
other comments I'd like to thank you
for your attention and participation
in this Hearing.

Let the Record reflect that the
time is 7:51 p.m. This Hearing is
closed. Thank you very much.

(The meeting was concluded at 7:51 p.m.)

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R E P O R T E R ' S P A G E
I, Tara Torres, Certified Court
Reporter, in and for the State of

5 Louisiana, the officer, as defined in
6 Rule 28 of the Federal Rules of Civil
7 Procedure and/or Article 1434(b) of the
8 Louisiana Code of Civil Procedure,
9 before whom this sworn testimony was
10 taken, do hereby state on the Record:

11 That due to the interaction in
12 the spontaneous discourse of this
13 proceeding, dashes (--) have been used
14 to indicate pauses, changes in thought,
15 and/or talkovers; that same is the
16 proper method for a Court Reporter's
17 transcription of proceeding, and that
18 the dashes (--) do not indicate that
19 words or phrases have been left out of
20 this transcript;

21 That any words and/or names
22 which could not be verified through
23 reference material have been denoted
24 with the phrase "(phonetic)."
25

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1 Tara Torres, CCR
2 Certified Court Reporter
3

4 C E R T I F I C A T E
5

6 This certification is valid only for a
7 transcript accompanied by my original signature

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and original raised seal on this page.

9 That this testimony was reported by me in
10 the Stenomask method (voice-writing), was
11 prepared and transcribed by me or under my
12 personal direction and supervision, and is a
13 true and correct transcript to the best of my
14 ability and understanding;

15 That I am not related to counsel or to the
16 parties herein; am not otherwise interested in
17 the outcome of this matter; and am a valid
18 member in good standing of the Louisiana State
19 Board of Examiners of Certified Shorthand
20 Reporters.

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22 Tara Torres (#22012)
23 Certified Court Reporter
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