DEPARTMENT OF ENVIRONMENTAL QUALITY
KATHLEEN BABINEAUX BLANCO
GOVERNOR
MIKE D. McDANIEL, Ph.D.
SECRETARY

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Contact: Rodney Mallett
Telephone: 225.219.3964

Judge rules Chef Menteur landfill can continue operating

BATON ROUGE – U.S. District Judge Martin Feldman rejected a motion for a temporary restraining order that would have shut down a New Orleans area landfill. The Louisiana Environmental Action Network and a coalition of residents from eastern New Orleans had sued the Army Corps of Engineers in an attempt to stop the Chef Menteur landfill from taking construction and demolition debris.

The Louisiana Department of Environmental Quality joined the Corps in the case. Feldman listened to arguments from both sides on Wednesday.

DEQ recently issued the Chef Menteur facility permission to accept hurricane-related construction and demolition waste. Chef Menteur is one of three New Orleans area C and D landfills that are currently taking wastes from areas devastated by last year's hurricanes.

"We understand that there are not many people who are going to welcome a disposal facility near them," said DEQ Assistant Secretary Chuck Carr Brown, who two weeks ago gave the site permission to operate. "We also understand we are in an emergency situation and there are 18 million cubic yards of debris left to be removed from the New Orleans area. When demolition starts there will be tons of debris to be disposed of. Because of the emergency situation, we need more sites like Chef Menteur that are environmentally sound, that have been studied and that are strategically located so we can dispose of waste in a timely and safe manner."

Brown said if Chef Menteur or any of the other sites were closed because of the lawsuits it would take considerably longer to dispose of the debris.

"If we have three working C and D landfills and everything goes right, we could have the hurricane-related debris disposed of in less than a year," Brown said. "If we're limited to one disposal site, it would take three times as long."

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