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DEQ clarifies landfill's status

BATON ROUGE – Two events recently occurred that will keep the Chef Menteur landfill open and accepting hurricane-related, construction-and-demolition debris under emergency authorization from the Department of Environmental Quality.

The first event occurred when State District Judge Janice Clark issued an order requiring the "status quo" on Friday at the 19th Judicial District Court in Baton Rouge. She made that ruling after hearing from Waste Management, which had filed suit against DEQ saying the department could not revoke its authorization to receive hurricane-related, C&D debris.

The Waste Management lawsuit was one of several concerning the landfill. The judge said that the other pending lawsuits filed by environmental groups and citizens are important and that those suits will be heard in due time. However, she said, for now Waste Management is to continue with the status quo and the facility may be used.

Secondly, on Aug. 10, DEQ received a letter from the City of New Orleans giving concurrence for the use of the landfill. DEQ's practice has been to have local concurrence to operate any hurricane related debris site, of which there are more than 400 in the state.

Among other statements, the city's letter said, "The written agreement between the City of New Orleans and Waste Management of Louisiana, L.L.C. and the Emergency Disaster Cleanup Site Request provide the administration's position." The agreement says, "The City, under its emergency powers, hereby approves Waste Management's proposed Chef Menteur Landfill as an emergency C&D disposal site, and the City has signed the applicable approval forms promulgated by LDEQ evidencing its approval for such use."

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