



## DEPARTMENT OF ENVIRONMENTAL QUALITY

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**For Immediate Release**  
March 18, 2008

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### **Judge confirms dismissal of LEAN, Sierra Club lawsuit vs. LDEQ**

BATON ROUGE – U.S. District Court Judge Sarah Vance recently denied a Motion for Rehearing in a lawsuit against the Louisiana Department of Environmental Quality effectively ending the litigation at the district court level. The plaintiffs requested review of an earlier ruling dismissing their suit for lack of standing to sue. Without standing, the court does not have jurisdiction to hear the case.

The lawsuit, filed [in the U.S. District Court in New Orleans](#), by the Louisiana Environmental Action Network and the Sierra Club, claimed that LDEQ emergency orders issued after Hurricanes Katrina and Rita allowed waste to be disposed of in a way that endangered public health and the environment. LDEQ maintained it issued the orders to ensure that public health and the environment were protected while expediting cleanup activities, consistent with all federal requirements.

In her most recent ruling on March 12, Judge Vance confirmed that the plaintiffs failed to prove any individual member suffered an injury “from any harmful pollution that was actually occurring at covered landfills” or increased risk of harm as a result of the hurricane orders, one of the requirements to show standing for an association.